

**A REVIEW OF THE FISCAL YEAR 2020 BUDGET
REQUEST FOR THE DEPARTMENT OF HOME-
LAND SECURITY**

HEARING
BEFORE THE
COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED SIXTEENTH CONGRESS

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A REVIEW OF THE FISCAL YEAR 2020 BUDGET REQUEST FOR THE DEPARTMENT OF HOMELAND SECURITY

Wednesday, May 22, 2019

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to notice, at 9:31 a.m., in room 310, Cannon House Office Building, Hon. Bennie G. Thompson (Chairman of the committee) presiding.

Present: Representatives Thompson, Jackson Lee, Langevin, Payne, Rice, Correa, Torres Small, Rose, Underwood, Slotkin, Cleaver, Green of Texas, Clarke, Titus, Barragán, Rogers, King, McCaul, Katko, Ratcliffe, Higgins, Lesko, Green of Tennessee, Taylor, Joyce, Crenshaw, and Guest.

Chairman THOMPSON. The Committee on Homeland Security will come to order.

The committee is meeting today to receive testimony on a review of the fiscal year 2020 budget request for the Department of Homeland Security.

Today, the committee is meeting to examine the President's budget. This hearing was originally scheduled for earlier this month with Secretary Nielsen who resigned before the hearing was held.

I'd like to welcome our Acting Secretary of Homeland Security, Secretary Kevin McAleenan. The Acting Secretary is being asked to defend a budget before us, in my estimation, is very difficult.

The President—the Secretary is wearing two hats, as you know. He has been a career employee here in Federal service and, in my mind, has done a good job. I have thanked him on a number of occasions for his work, and I look forward to seeing him and working with him even more in this role. So we welcome you here today.

President Trump's budget prioritizes construction of a border wall at the expense of critical Homeland Security priorities, such as first responder and Homeland Security grants, cybersecurity programs to defend against foreign spying, and initiatives to secure our transportation systems from terrorist attack.

The Acting Secretary's prepared testimony states doing more with less is an acceptable method for achieving mission goals, yet this is exactly what the President's budget request would force key parts of the Department to do.

The President would squander \$8.6 billion in taxpayers' money on a wall that would do nothing to address the current situation

on the border. I suspect the Acting Secretary knows that, even if he cannot say it, for fear of being the next Department official to be dismissed by the White House. Make no mistake, it will be the American people picking up the tab for the wall, not Mexico, as the President promised.

Congress is preparing to provide additional funding to address the humanitarian crisis on the border, but we cannot allow the President to compromise the rest of the Department or our Nation's homeland security in the mean time.

Unfortunately, rather than engaging with Congress to address the humanitarian crisis and implement sound border policy, the White House only continues to make matters worse. The President fired Department officials who tried to offer a voice of reason, cut off aid to Central America intended to help address the root causes of migration, and is sending essential DHS personnel to the border, potentially undermining the Department's other critical missions. Frankly, between the vacancies at the Department and the reports of infighting coming out of the White House, it is difficult to know who is calling the shots when it comes to the border: The President, the Acting Secretary, or Stephen Miller.

Meanwhile, the number of people in CBP's custody continues to rise. We also continue to see shocking photos of families being held in inhumane conditions and children sleeping on the bare ground covered by nothing more than 4 blankets. Tragically, just this week, yet another child died in the Department's custody.

But what can we expect from an administration that has separated at least 5,000 children from their parents at the border? To the extent this administration has a border policy, it has been an abject failure. It is past time to implement a strategy of common-sense solutions to address the humanitarian crisis at the border while ensuring security and upholding our values.

First, we need to ensure humanitarian conditions for people in custody, and particularly, vulnerable populations like children and pregnant women. The surge in families at our borders does not excuse inhumane treatment or relieve us of an obligation to treat people with basic decency. As I mentioned, Congress is engaging with this administration to provide supplemental funding.

Second, we need more immigration judges and asylum officers to increase capacity to handle asylum claims and address the long-standing immigration court backlog.

Third, we need to expand proven, cost-effective alternatives to detention to ensure people show up for their court dates as scheduled while their cases proceed.

Finally, we need to help address the root causes prompting people to come north by restoring aid to Central American countries acting as partners in addressing this crisis. We can protect our borders and our homeland while also protecting our American values.

The President and the White House have not proven up to that task, but I hope the Acting Secretary will partner with Congress in that effort.

In closing, I want to thank the over 240,000 men and women in the Department of Homeland Security for the work they do to secure our Nation every day. From the Coast Guard personnel patrolling our coasts and waterways, to the Customs and Border Protec-

tion Officers at our land borders, to the Transportation Security Officers I see as I fly to and from Jackson, Mississippi, every week and everywhere in between, we appreciate the work you do.

I thank the Members for joining us, and I look forward to our discussion.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

MAY 22, 2019

Today, the committee is meeting to examine the President's fiscal year 2020 budget request for the Department of Homeland Security. This hearing was originally scheduled for earlier this month with then-Secretary Kirstjen Nielsen, who resigned before the hearing was held. We are joined this morning by Acting Secretary of Homeland Security Kevin McAleenan. The Acting Secretary is being asked to defend a budget request that is, in a word, indefensible. President Trump's budget prioritizes construction of a border wall at the expense of critical homeland security priorities, such as first responder and homeland security grants, cybersecurity programs to defend against foreign spying, and initiatives to secure our transportation systems from terrorist attack.

The Acting Secretary's prepared testimony states "doing more with less is an unacceptable method for achieving mission goals." Yet that is exactly what the President's budget request would force key parts of the Department to do. The President would squander \$8.6 billion in taxpayer money on a wall that will do nothing to address the current situation on the border. I suspect the Acting Secretary knows that, even if he cannot say it for fear of being the next Department official to be dismissed by the White House. And make no mistake, it will be the American people picking up the tab for the wall, not Mexico as the President promised. Congress is preparing to provide additional funding to address the humanitarian crisis on the border, but we cannot allow the President to compromise the rest of the Department, or our Nation's homeland security, in the mean time. Unfortunately, rather than engaging with Congress to address the humanitarian crisis and implement sound border policy, the White House only continues to make matters worse. The President fired Department officials who tried to offer a voice of reason, cut off aid to Central America intended to help address the root causes of migration, and is sending essential DHS personnel to the border, potentially undermining the Department's other critical missions.

Frankly, between the vacancies at the Department and the reports of infighting coming out of the White House, it is difficult to know who is calling the shots when it comes to the border. The President? The Acting Secretary? Stephen Miller? Meanwhile, the number of people in CBP's custody continues to rise. We also continue to see shocking photos of families being held in inhumane conditions and children sleeping on the bare ground covered by nothing more than foil blankets. And, tragically, just this week yet another child died in the Department's custody. But what can we expect from an administration that separated at least 5,000 children from their parents at the border? To the extent this administration has a border policy, it has been an abject failure. It is past time to implement a strategy of common-sense solutions to address the humanitarian crisis at the border while ensuring security and upholding our values.

First, we need to ensure humanitarian conditions for people in custody, and particularly vulnerable populations like children and pregnant women. The surge in families at our borders does not excuse inhumane treatment or relieve us of an obligation to treat people with basic human decency. As I mentioned, Congress is engaging with the administration to provide supplemental funding. Second, we need more immigration judges and asylum officers to increase capacity to handle asylum claims and address the long-standing immigration court backlog. Third, we need to expand proven, cost-effective alternatives to detention to ensure people show up for their court dates as scheduled while their cases proceed. Finally, we need to help address the root causes prompting people to come north by restoring aid to Central American countries acting as partners in addressing this crisis.

We can protect our borders and our homeland while also protecting our American values. The President and the White House have not proven up to that task, but I hope the Acting Secretary will partner with Congress in that effort. In closing, I want to thank the over 240,000 men and women of the Department of Homeland Security for the work they do to secure our Nation every day. From the Coast Guard personnel patrolling our coasts and waterways to the Customs and Border Protec-

tion officers at our land borders to the Transportation Security Officers I see as I fly to and from Jackson, Mississippi every week—and everywhere in between—we appreciate the work you do.

Chairman THOMPSON. I will now recognize the Ranking Member of the full committee, the gentleman from Alabama, Mr. Rogers, for an opening statement.

Mr. ROGERS. Thank you, Mr. Chairman.

Thank you, Secretary McAleenan, for being here with us today. I look forward to your testimony and discussion that we are going to have.

There is a National security and humanitarian crisis at the border. That is why I supported the President's February National emergency declaration. The facts on the border prove it. CBP detained more than 109,000 immigrants along the Southwest Border just last month. That is a 591 percent increase over the same month 2 years ago. On May 4 of this year, CBP apprehended 5,235 migrants on the Southwest Border. That is the highest number ever recorded. In the first 6 months of fiscal year 2019, over 150 groups of 100 or more migrants reached the Southwest Border. That is a 7,400 percent increase over the entirety of fiscal year 2017.

CBP apprehensions between the ports of entry are on track to reach a 12-year high. CBP has already uncovered more than 3,000 fraudulent cases this year alone where adults posing as biological parent or legal guardian of a minor child. If this isn't a crisis, I am not sure what this committee deems to be one.

Actually, we do. Yesterday, the Transportation Subcommittee held a hearing entitled, "The TSA Workforce Crisis: A Homeland Security Risk." I appreciate the TSA work force has issues, but I would say that thousands of migrants per day overrunning and breaking our immigration system is the actual crisis and the true homeland security risk.

This will be the committee's sixth hearing in 5 months focused on the border. How many hearings before we see solutions coming from this Majority? Six hearings, zero solutions.

This committee has heard testimony that transnational criminal organizations are exploiting our immigration laws for financial gains. Worse, these TCOs abuse women and children during their journey here, they dump them in the desert in poor health without food or water. Men and women and children are dying because of this dangerous journey human smugglers profit from. I know that no one on this committee finds this acceptable, so why won't this committee address it?

In April, DHS requested legislation to address this abhorrent practice, yet there are—yet here we are in another hearing, and I don't understand why this committee won't act. Maybe it is because this committee is spending too much of its time on Twitter. Since the Democrats were sworn into office in January, they have tweeted 316 times about the border. Six hearings, 316 tweets, zero solutions.

On May 1, the administration sent to Congress a request for emergency humanitarian appropriations to address this crisis at the Southwest Border. The request for \$4.5 billion would feed and shelter migrant families and unaccompanied children. It would pro-

vide urgent medical care and transportation services to sick migrants. It also would have supported the men and women of DHS who are working overtime on the front lines of a crisis. Yet the Majority of this committee sent out press releases refusing to reconsider—refusing to consider the request.

When I drafted this emergency humanitarian request as an amendment to the supplemental, the Democrat Majority on the Rules Committee voted it down 9 to 4 when Representative Lesko offered it at markup. Six hearings, 316 tweets, 1 amendment denied, zero results.

I hope my colleagues on the other side of the aisle will use this opportunity today to ask Secretary McAleenan what resources his Department needs to fulfill its lawful mission at the Southwest Border. The Republicans on this committee are ready to work with anyone on the other side to solve the growing humanitarian crisis.

Hearings, tweets, releases won't solve it. Hatred for the President won't solve it either. We can't wait 2 more years to address this Southwest Border crisis. We must act now.

Thank you, Mr. Chairman. I yield back.

[The statement of Ranking Member Rogers follows:]

MAY 22, 2019

STATEMENT OF RANKING MEMBER MIKE ROGERS

There is a National security and humanitarian crisis at the border. That is why I supported the President's February National emergency declaration. The facts on the border prove it:

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That's a 591 percent increase compared to April 2017.

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Men, women, and children are dying because of this dangerous journey human smugglers profit off. I know no one on this committee finds that acceptable. So why won't this committee address it?

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The Republicans on this committee are ready to work with anyone on the other side to solve this growing humanitarian crisis. Hearings, tweets, press releases won't solve it. Hatred for the President won't solve it, either.

We can't wait another 2 years to address our Southwest Border crisis. We must act now.

Chairman THOMPSON. Other Members of the committee are reminded that under the committee rules, opening statements may be submitted for the record.

I welcome our witness today. Mr. McAleenan was sworn in as the Acting Secretary of Homeland Security on April 10, 2019. Prior to being named Acting Secretary, he served as commissioner of the U.S. Customs and Border Protection. The Acting Secretary previously held several leadership positions at CBP and the former U.S. Customs Service.

Without objection, the witness's full statement will be inserted in the record.

I now ask the Acting Secretary to summarize his statement for 5 minutes.

**STATEMENT OF KEVIN K. MC ALEENAN, ACTING SECRETARY,
U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. MC ALEENAN. Thank you, Mr. Chairman, and good morning, Ranking Member Rogers and the distinguished Members of the committee. I appreciate the opportunity to appear before you today.

It is a sincere honor to serve as the Acting Secretary of the Department of Homeland Security. In my view, DHS has the most compelling mission in Government: To safeguard the American people, our homeland, and our values. As Acting Secretary, I intend to work with this committee and serve as an advocate for the Department to ensure our people have the resources and the authorities they need to carry out their critical missions on behalf of the American people.

Today, I have the privilege of sharing the President's fiscal year 2020 budget request for the Department of Homeland Security with this committee. The request would strengthen the security of our Nation through enhanced border security, immigration enforcement, cybersecurity, transportation security, counterterrorism, and resilience to disasters.

DHS is a multi-mission department. Before I talk about the urgent border security and humanitarian crisis that we are facing, I want to ensure this committee that DHS will not lose momentum across any of our numerous responsibilities.

The President's budget requests funding for critical missions across the Department. For our Cybersecurity and Infrastructure

Security Agency, the budget requests \$1.3 billion to assess evolving cybersecurity risks, protect Federal Government information systems and critical infrastructure.

The budget also supports the launch of Protect 2020, a new initiative designed to get all States to a baseline level of election infrastructure cybersecurity well before the National elections of 2020. While DHS does not control State and local election infrastructure and does not think we should, we can provide much-needed technical assistance and support to willing partners.

The budget supports additional Transportation Security Officers to enhance security effectiveness and stay ahead of increasing costs and growth in air travel within the United States. The \$3.3 billion for TSA also includes funding for an additional 700 screeners and 350 computed tomography X-ray units.

For FEMA, the budget provides a significant increase in the Disaster Relief Fund, begins implementation of new requirements in the Disaster Recovery Reform Act, and funds critical operational positions identified in the 2017 Hurricane Season After-Action Report.

For the U.S. Coast Guard, the budget continues efforts to fund the Offshore Patrol Cutter and advances the Polar Security Cutter program.

A lot there for across the Department in all of our missions. But for border security and immigration enforcement, as you are all aware, we are in the midst of an on-going security and humanitarian crisis at our Southwest Border. The Department, at the request of our front-line officers and agents, has repeatedly made clear that we need additional resources and additional authorities to respond to this crisis.

To put the situation in context, in April, CBP apprehended and encountered almost 110,000 migrants attempting to cross without legal status, the most in a single month in over a decade and over a third of the total crossings we saw in all of fiscal year 2017. Over 65 percent of those crossing were families, with over 40,000 children entering our immigration system in a single month.

And the crisis continues. In 3 separate days in May, we have encountered 5,500 people crossing our border without authorization. Our immigration system is full, and we are well beyond our capacity at every stage of the process. This means that new waves of vulnerable populations arriving at our border are exacerbating the already urgent humanitarian and security crisis we are facing.

Through surging resources from DHS and Federal partners with medical teams from the Coast Guard and HHS, military and National Guard troops, over 1,000 CBP and HSI detailees, and DHS volunteers, along with working with State and local governments and nongovernmental organizations, we are working to do everything we possibly can to address the immediate and dire humanitarian crisis.

But it is not enough. We continue to face tragedies at the border, particularly with regard to the safety of children. This month, Border Patrol agents have rescued dozens of children in the Rio Grande, but several have been known to have drowned, including a 10-month-old baby 2 weeks ago. We have lost 2 teenagers to illness in Federal custody, 1 with HHS and 1 in CBP custody just

yesterday. A 2-year-old encountered in April and taken to the hospital by Border Patrol agents and released with her mother also passed away this month after weeks of critical medical care. These tragedies are devastating to us, and they are avoidable.

The problem we face is unprecedented and challenging. It requires working together from a shared set of facts to solve it. We need sustained investment, additional emergency support, but also, changes to our immigration laws to overcome this humanitarian and security crisis at the border.

On the resources front, the President's budget will help. First, it requests \$523 million to address the humanitarian crisis. This will allow us to provide better care for those we come into contact with through apprehension, custody, detention, and eventually removal.

It requests \$5 billion for border security, funding for the construction of approximately 200 miles of a new border wall system, a proven deterrent requested by our front-line agents. It also calls for 750 additional Border Patrol Agents, 275 Customs and Border Protection Officers, and over 1,660 ICE front-line and support personnel.

The budget requests will make much-needed upgrades to sensors, command-and-control systems, and aircraft to help our men and women combat criminals who are profiting from human suffering.

While our 2020 budget will help address this crisis, we will need additional funding sooner. Given the scale, we will exhaust our resources well before the end of this fiscal year, which is why the administration sent a supplemental funding request to the Congress 3 weeks ago.

In addition to the \$3 billion for Health and Human Services to care for unaccompanied children, the request includes \$1.1 billion for the Department of Homeland Security; \$391 million for humanitarian assistance, including for temporary processing facilities; \$530 million for border operations, to include our surge personnel as well as increased detention capacity; and \$178 million for operations and support costs, including pay retention incentives for our overworked men and women on the front line.

This supplemental request is critical, but unless Congress addresses the pull factors, namely our vulnerable legal framework for immigration, children will continue to be put at risk in this dangerous journey.

The administration has been working in a bipartisan fashion to outline the important reforms that can get to the root of the problem, providing language to multiple Congressional committees that would end this humanitarian crisis. This includes allowing DHS to detain families together during the immigration hearings, allowing children to safely apply for refugee protections in their home or neighboring countries, while also providing authority for DHS to repatriate children to Central America, as we do with Canada and Mexico today, and reforming an asylum process that has become overwhelmed by claims that do not meet the standard.

Without these resources and authorities, the situation will remain untenable. While DHS will continue to do all it can to manage the crisis in an operationally effective, humane, safe, and secure manner, every day Congress does not act puts more lives at risk and increases the burden on an overtasked system.

I want to close by reiterating the strength of DHS is its people. I am humbled and inspired by their selfless dedication of the front-line agents, officers, and personnel confronting this crisis. Despite the challenges they face, the men and women of DHS continue to act to stop criminals exploiting our border and to help those in need. They are remarkable people. They deserve our support. I respectfully ask this committee to continue to support them with the resources and authorities they need.

Thank you for the opportunity to appear before you today. I look toward to your questions.

[The prepared statement of Mr. McAleenan follows:]

PREPARED STATEMENT OF KEVIN K. MCALEENAN

MAY 22, 2019

Chairman Thompson, Ranking Member Rogers, and distinguished Members of the committee: It is a privilege to appear before you today to discuss the Department of Homeland Security's (DHS) essential missions and to present the President's fiscal year 2020 budget for the Department.

DHS is comprised of 14 major components employing more than 240,000 men and women dedicated to the mission of ensuring the safety and security of our great Nation. I want to start by thanking the men and women of the Department of Homeland Security for their extraordinary service to our Nation. The men and women of DHS are exceptional and dedicated professionals who are on watch 24 hours a day, 365 days a year. Their mission is to protect Americans from threats by land, sea, air, and in cyber space, while also promoting our Nation's economic prosperity. They work tirelessly to strengthen the safety and security of our Nation from persistent and emerging dangers, including terrorists, transnational criminal organizations, rogue nation-states, and natural disasters.

Although our mission statement is simple, the mission itself is extremely complex. The Department's reach is global; spanning more than 7,450 miles of U.S. border and 95,000 miles of coastline to 4.5 million square miles of U.S. Exclusive Economic Zone (EEZ) and regions of the high seas known for smuggling operations. Our reach continues into the cyber world where nefarious actors attack U.S. financial, technological, and electoral interests. The Department is also responsible for the security of our traveling public and movement of goods through international trade. It is our dedicated personnel who not only achieve DHS's global reach, they also create efficient and effective operations 24 hours a day. I am proud to lead and represent the dedicated men and women of DHS as they are America's front-line defense.

The fiscal year 2020 President's budget for DHS requests \$51.7 billion in net discretionary funding and an additional \$19.4 billion for the Disaster Relief Fund (DRF) supporting response to and recovery from major disasters. The President's budget proposes to strengthen the security of our Nation through enhanced border security, immigration enforcement, cybersecurity, transportation security, resilience to disasters, and senior leadership protection.

Highlighting some of the Department's accomplishments provides a mere glimpse of the threats to our Nation's security. At the completion of fiscal year 2018, Customs and Border Protection encountered more than 683,000 illegal migrants and inadmissibles, Homeland Security Investigations made more than 34,000 criminal arrests, of which 4,300 were gang-related; and law enforcement agents and the United States Coast Guard (USCG) seized more than 1 million pounds of illegal drugs. Keeping our traveling public safe is another vitally important job for DHS. For example, in fiscal year 2018 the Transportation Security Administration (TSA) screened more than 800 million aviation passengers while preventing almost 4,200 firearms from being carried onto aircraft.

In 2018, the United States endured significant natural disasters such as Hurricanes Michael and Florence and the deadliest wildfires in California's modern history including the one that obliterated the town of Paradise. Preserving life and reclamation efforts, FEMA obligated more than \$9.2 billion in Public Assistance, including funding to clear debris, rebuild roads, schools, libraries, and other public facilities, and provided more than \$1 billion in Individual Assistance to survivors. These are just a few examples of how our men and women deliver on a daily basis for the American people.

Security of our Nation's borders remains a primary focus of the administration and the Department, and doing more with less is an unacceptable method for achieving mission goals. This situation on the border with unprecedented numbers of families and children represents an acute and worsening crisis. CBP encountered nearly 40,000 children in the month of April alone. Our immigration system is not equipped to accommodate the significant change in migration patterns from one largely composed of single adults from Mexico to one comprised mainly of families and unaccompanied children from non-contiguous countries. Previous patterns—somewhat predictable in composition and predicated on seasonal variations—are no longer the norm. Unlawful migration through the U.S. Southern Border has increased by over 60 percent from the previous year. In addition, the speed with which illegal migrants are transiting through Mexico to reach our Southern Border is frustrating our best efforts to respond quickly and keep pace with the overwhelming numbers of migrants arriving at the Southern Border.

The migration flow and the resulting humanitarian crisis is now even more dire and is rapidly overwhelming the ability of the Federal Government to respond. In March, U.S. Customs and Border Protection (CBP) encountered over 103,000 illegal border crossers and inadmissible aliens, and in April that number exceeded 109,000—the highest monthly levels in more than a decade.

Despite heroic efforts, the Nation's ability to humanely and compassionately care for vulnerable populations and expeditiously process and detain those who should not be admitted is being stressed to the breaking point. Unaccompanied children and families are crowded into U.S. Border Patrol stations that were never intended as long-term shelters. U.S. Border Patrol personnel no longer have the ability to identify, process, and transport all of those apprehended at the border to safe and secure facilities designed to house them, but have instead been increasingly pressed into service to provide critical humanitarian, medical support, and transportation services for this uniquely vulnerable population.

While our fiscal year 2020 budget will help address this crisis, we will need additional funding sooner. Given the scale of the crisis, we will exhaust our resources before the end of this fiscal year, which is why the administration sent a fiscal year 2019 supplemental funding request to Congress earlier this month. The \$4.5 billion fiscal year 2019 supplemental request includes \$1.1 billion for the Department of Homeland Security to address the immediate humanitarian crisis.

The Southwest Border still lacks a permanent wall and persistent domain awareness in vulnerable areas. The fiscal year 2020 budget requests \$8.6 billion in DHS and DOD funding for the construction of approximately 300 miles of new border wall system. A border wall is a proven deterrent that enhances U.S. Customs and Border Protection's (CBP) ability to apprehend those entering our Nation illegally; it is foundational to any strategy of achieving operational control of the Southwest Border.

Domain awareness complements a permanent wall through actionable intelligence. The current crisis at the border demands persistent awareness to allow our agents to respond rapidly and effectively to any incursion, and achieving this level of awareness requires a commitment to the procurement and sustainment of technology. The President's budget requests upgrades to sensors such as the Remote Video Surveillance System (RVSS) and associated command and control (C2) systems, continued procurement of the Multi-Role Enforcement Aircraft, and UH-60 Blackhawk Helicopter upgrades. Through continued domain awareness and border wall construction, DHS increases its chances of mission success of ensuring that our Nation's Southwest Border and our citizens are secure.

Border security in itself is not enough. We must continue to address those who already have entered our country illegally. We must further immigration enforcement. The U.S. Immigration and Customs Enforcement's (ICE) average daily population (ADP) forecasting model reinforces a budget increase to 54,000 beds. This increase allows ICE to handle continued migration flows, enhance enforcement activity within our borders, and remove those who have entered illegally and are presenting a danger to our communities. The President's budget maintains safe and secure facilities for 2,500 families.

For lower-risk apprehended aliens, funding is requested to expand the Alternatives to Detention (ATD) program to 120,000 daily participants. The ATD program supervises certain individuals using a combination of personal visits and monitoring technology, allowing individuals to remain in their communities while their cases are processed. Additionally, the Transportation and Removal Program requires additional resources in fiscal year 2020 to ensure the safe and secure transportation of aliens who are either subject to Final Orders of Removal or require transfer within the United States.

Investment in our most critical resource, human capital, remains a high priority for me. Funding is included in the request for 750 additional Border Patrol Agents, 273 CBP Officers, and more than 1,660 ICE front-line and support personnel. Retaining our personnel is a priority, and the Department continues to look for affordable and effective retention measures, especially for our Border Patrol Agents.

The fiscal year 2020 budget also requests increased resources for international trade and travel requirements. In 2018, the President signed the National Security Presidential Memorandum establishing the National Vetting Center (NVC). The NVC utilizes law enforcement and Classified data to better identify potential threats to the homeland. It brings together different streams of information and intelligence into a single process for adjudicating applications for travel to the United States. Through this technology, CBP can now receive near-real time responses from intelligence community partners for more than 35,000 ESTA applications each day.

Our Nation's defense continues beyond the physical borders and into the high seas. It is the USCG that stands as our phalanx to those who threaten our maritime interests. Since 1790, the USCG has performed its vital mission of saving those in peril while promoting our National security and economic prosperity in a complex and evolving maritime environment. The fiscal year 2020 budget is committed to maintaining USCG readiness levels and continued modernization with new and more capable assets. The President's budget includes more than \$1.1 billion for recapitalization of Coast Guard resources including, but not limited to, the genesis of the third Offshore Patrol Cutter, procurement of two Fast Response Cutters, funding to continue efforts toward constructing the Nation's first Polar Security Cutter, and aircraft sensor modernization. Additionally, this budget includes funding for a 3.1 percent pay raise for our military personnel.

Continuing efforts to improve public transportation resiliency, DHS is steadfast in addressing areas of vulnerability. Although heavily fortified, the public air-travel system must evolve with changing threats. TSA is an intelligence-driven, National security organization employing risk-based security principles to actively combat evolving threats to our critical transportation infrastructure.

TSA continues to experience airline passenger volume growth at airport checkpoints Nation-wide. Additional Transportation Security Officers (TSO) are needed to uphold security effectiveness and compliance, keep screening times on pace with volume growth, and stay ahead of increasing costs and security demands at airports Nation-wide. The \$3.3 billion requested for the Screening Workforce adds 1,028 screener positions for a total of more than 46,600 TSOs, the highest level in history. The request proposes a \$1.00 increase in the 9/11 passenger security fee in order to cover a greater share of the costs of aviation security. This is a minimal fee increase and should be considered seriously by Congress. The budget also funds an additional 320 computed tomography (CT) units. The CT units are used in airport screening lanes to effectively detect smaller and more artfully concealed threats within carry-on bags.

DHS continues to improve its collective efforts in cybersecurity with the recent creation of the Cybersecurity and Infrastructure Security Agency (CISA). In passing the Cybersecurity and Infrastructure Security Agency Act of 2018, Congress recognized that the role played by CISA has never been more important. Requiring collaboration between both Government and private-sector organizations, CISA is charged with protecting the Nation's critical infrastructure from physical and cyber threats. Through this mission, DHS is focused on improving our digital defense as cybersecurity threats continue to grow in scope and severity.

To assess evolving cybersecurity risks and protect Federal Government information systems and critical infrastructure, the fiscal year 2020 President's Budget includes more than \$1.3 billion for Federal Network Protection (FNP) and Infrastructure Security. Included in FNP are the Continuous Diagnostics and Mitigation, the National Cybersecurity Protection System—known operationally as EINSTEIN—and Federal Network Resilience. These systems in conjunction with the National Cybersecurity and Communications Integration Center (NCCIC) provide the technological foundation to secure and defend the Federal Government's civilian information technology infrastructure against advanced cyber threats.

The resiliency mission is carried even further through the Federal Emergency Management Agency (FEMA). Its mission reduces loss of life and property and protects the Nation from all hazards by leading and supporting the Nation in a risk-based, comprehensive emergency management system. Before, during, and after disasters, FEMA focuses on supporting and empowering disaster survivors by increasing their capacity to take effective and practical steps to help themselves, their families, and their communities. The better prepared that citizens are to assist themselves and others in times of need, the stronger our Nation will be in the event of future emergencies.

Therefore, the fiscal year 2020 President's budget requests increased funding for programs that support FEMA's 3 primary strategic goals of: Building a culture of preparedness, increasing catastrophic disaster readiness, and reducing FEMA complexity. Requested funds support the implementation of FEMA Integration Teams (FIT) who develop relationships with State emergency management offices, enhancing the coordinated State and Federal response. The budget also includes funding for the fiscal year 2020 Disaster Relief Fund in support of disaster declarations for Hurricanes Harvey, Irma, and Maria, and for the California wildfires. Communications between first responders is vitally important for immediate real-time information sharing during all threats, hazards, or incidents. Thus, I am committed to ensuring that our first responders can communicate effectively and the request for CISA includes \$167.3 million for emergency communications toward this effort.

I greatly appreciate the Congress authorizing the Countering Weapons of Mass Destruction Office (CWMD) last year. CWMD leads provides the subject-matter expertise and helps to equip the Department's field operators so they may effectively defend against weapons of mass destruction, including potential terrorist use of WMD. The President's 2020 budget continues to enable our efforts to develop a robust and technologically advanced analytic capability combating chemical, biological, radiological, and nuclear threats to the homeland and our interests. Additionally, funding is requested for the Radiation Portal Monitor Replacement Program (RPMRP) supporting CBP's operational effectiveness at the Nation's land, sea, and air ports of entry. Ensuring the effective and safe movement of goods through our ports, the RPM technology provides the cost-effective capability to scan cargo for radiological and nuclear threats without an adverse impact to the flow of commerce.

The U.S. Secret Service carries out the unique and integrated missions of protecting senior leadership and investigating threats to the Nation's financial system. Best known for protecting the President, the Vice President, their immediate families, visiting heads of state, and other designated individuals, the Secret Service also protects the White House Complex, the Vice-President's Residence, foreign diplomatic missions, and other designated buildings. Further, it coordinates security at designated National Special Security Events such as the State of the Union Address. Vitally important to our economic way of life, the Secret Service protects our financial infrastructure by investigating counterfeiting, crimes related to financial securities of the United States, identity theft, and computer fraud. The President's budget includes \$33.4 million to hire additional Special Agents, Uniform Division Officers, and administrative, professional, and technical personnel to achieve an end strength of 7,777, the highest in Secret Service history. The 2020 Presidential Election is only 18 months away, and the budget includes almost \$151 million to ensure that the 2020 Presidential Campaign is adequately resourced for the protection of major candidates, nominees, their spouses, and nominating conventions.

Finally, since our founding, DHS agencies have operated in temporary spaces and in offices scattered throughout D.C. metropolitan area. This has made it difficult for 240,000 employees to operate as "one" Department. But starting in April 2019, we have a new base of operations. After many years, we have finally moved onto the St. Elizabeths Campus in Southeast Washington, DC; the home of the new DHS Headquarters. The fiscal year 2020 budget requests \$224 million ensuring momentum into this first class facility. St. Elizabeths will become the primary hub of a more focused, more unified, more effective, Department of Homeland Security. We have this committee to thank for the historic move, and I look forward to welcoming all of you to visit.

I continue to be amazed by the professionalism, dedication, and conviction that the DHS employees exhibit on a daily basis. Their resolve and devotion to the homeland security mission is on display daily, and the security of our Nation depends on Congress properly resourcing the very people charged with safeguarding the American people, our homeland, and our values.

The fiscal year 2020 President's budget requests the necessary funding for the Department of Homeland Security to carry out its wide-ranging, day-to-day mission. We are challenged everyday with crises spanning Southwest Border security to daily cyber attacks, and I call on Congress to assure the security of our Nation by providing the proper funding required to do our jobs.

Thank you for the opportunity to appear before you and discuss the Department's fiscal year 2020 budget submission. I look forward to taking your questions.

Chairman THOMPSON. Thank you, Mr. Secretary.

I will remind each Member that he or she will have 5 minutes to question the panel.

I now recognize myself for questions.

This is a hearing to talk about the overall budget for the Department. One of the questions that comes to mind is the relief that went to Puerto Rico, and I want to make sure the record reflects that.

Now, the President says that Puerto Rico got \$91 billion. Is that true or false?

Mr. MCALEENAN. I am certain that is correct, Mr. Chairman. I can get you the actual figures from FEMA, if that is helpful.

Chairman THOMPSON. How long would it take you to get that number?

Mr. MCALEENAN. We can get back to you very shortly.

Chairman THOMPSON. Today?

Mr. MCALEENAN. I will check with the team at FEMA on that calculation, but we will get it back to you, Mr. Chairman.

Chairman THOMPSON. Well, right. I have been to Puerto Rico a couple of times looking at it. I have talked to the Governor, talked to a lot of mayors, and they are very concerned that the number that has been put out is, in actuality, not the real number. So I think we need to, as we look at this budget, to make sure that the numbers we have before us reflect an accurate amount. So that is the spirit in which it is given.

Mr. MCALEENAN. Mr. Chairman, just very briefly, I have met with the acting administrator for FEMA, who has briefed me that we are spending more per week and per month in Puerto Rico than we do for a usual disaster for the entire repayment and entire assistance. So it is an extensive effort by FEMA and across the Department.

Chairman THOMPSON. Well, is that because we have never had a disaster like that before?

Mr. MCALEENAN. I think it is one of the most devastating natural disasters in our history.

Chairman THOMPSON. Absolutely. So you would agree that we need to spend more?

Mr. MCALEENAN. I think there is a lot of support going to Puerto Rico, and we are actively preparing for the new season.

Chairman THOMPSON. I understand. But I think the amount of money should go toward the disaster.

So in addition to that, Mr. Secretary, you have actual volunteers to go to the border to address the crisis. Can you tell me how many people are being deployed from the Northern Border to go to the Southern Border?

Mr. MCALEENAN. So we have a mix of law enforcement resources from both CBP and HSI over at ICE already deployed. These are TDY'd law enforcement professionals. We do this routinely to address situations on the border. We have got about 200 of our agents from the Northern Border, Border Patrol agents deployed down now. We have solicited, as you noted, Mr. Chairman, for volunteers, just like we do in any crisis across the Department, to come help deal with the situation as well.

Chairman THOMPSON. So your testimony is that the volunteers that are being deployed does not compromise security in any way?

Mr. MCALEENAN. So this is something we look at from a risk management perspective. When we respond to a natural disaster, like a Harvey or Maria, we had over 2,000 volunteers deployed. So

right now, our volunteer numbers are really in the 200 range, so that is a much smaller response than a normal natural disaster already.

But this is something we ask our leaders and our management to assess for risk and make sure we are not, you know, taking people that are critical to other missions, but also responding to an existing crisis at the same time.

Chairman THOMPSON. So we have had testimony before the committee this week from the head of one of the larger airports, who indicated that he was very concerned that with the loss of personnel, that the potential to put the traveling public at risk existed and that he was concerned about it.

Have you heard concerns like that from airports?

Mr. MCALEENAN. So we are not going to put the traveling public at risk. We are not going to reduce our security posture in any way.

Chairman THOMPSON. But you have—but you have heard that concern coming from airport directors?

Mr. MCALEENAN. So that is a concern that the leaders at TSA will manage as they identify volunteers to support us. We have not sent TSOs to the border.

Chairman THOMPSON. I understand that. I just want to know, have you heard from airport directors that they are concerned about it?

Mr. MCALEENAN. Yes, I have seen the press reporting, and certainly, that is something we will manage carefully.

Chairman THOMPSON. It is hoped that you will allay their concerns. But you have heard them?

Mr. MCALEENAN. Yes.

Chairman THOMPSON. Thank you. So the question about vacancies in the Department, we have had discussions about that. How are you addressing the vacancies at senior management level within the Department?

Mr. MCALEENAN. Well, we are very happy earlier this month to submit a nomination for a permanent administrator at FEMA, I think that is an important role to fill very quickly in this hurricane season, with Jeff Byard.

But our top 8 operating components, 4 out of 8 have confirmed or permanent heads. Two of them, TSA and CBP, were serving as Acting Secretary and acting deputy, but were confirmed heads as well, backfilled by very talented career professionals. Then at ICE, we have a 25-year veteran of service, Matt Albence, leading ICE effectively. This is something that I think we are in very good position to maintain our momentum at the Department.

Chairman THOMPSON. Thank you. But based on the chart that your staff provided me, your Management director is vacant, your Science and Technology director is vacant, the Office of Strategy, Policy, and Plans is vacant, the Office of Public Affairs is vacant, the Office of Inspector General is vacant, the Chief Financial Officer is vacant. We go on and on.

Now, this is—and I understand that. But at what point do you plan to fill the vacancies with these senior positions?

Mr. MCALEENAN. Well, a number of those positions already have nominees either on the Hill or identified and in process. We have

taken steps to make sure we are backfilling with talented professionals.

Right now, Director Tex Alles from the Secret Service, who just moved to a position as acting deputy under secretary for management, he brings a wealth of experience having been the deputy at CBP, the head of Secret Service. He is helping make sure that we are maintaining a momentum with management.

We have a tremendous team in the CFO shop that hasn't lost any momentum. So we are going to continue to get the job done for the American people.

Chairman THOMPSON. I understand.

Mr. MCALEENAN. We have many more permanent folks in place than you usually do at the transition of an administration, for example.

Chairman THOMPSON. So is this the Secret Service director that got fired by the President?

Mr. MCALEENAN. He has been moved to a key role for me as the acting deputy under secretary.

Chairman THOMPSON. But he was fired by the President and you brought him back?

Mr. MCALEENAN. There was a transition. He served admirably for 2 years at Secret Service, and now we have a tremendous Secret Service——

Chairman THOMPSON. I don't have a problem with it. But he is the one that was fired. Am I correct?

Mr. MCALEENAN. He has been moved to a new role at DHS.

Chairman THOMPSON. OK. I yield to the Ranking Member.

Mr. ROGERS. I thank the Chairman.

Before I get my questions, I just want to make the point I think it is unconscionable that relief to deal with this humanitarian crisis at the border is being held hostage for Puerto Rico to get more money when already we are having massive amounts of aid going to Puerto Rico, have been and continue to have, and we will continue to take care of Puerto Rico. But we have an enormous crisis at the border, families, children that are in a desperate situation, and we are not getting aid to them. It is just unconscionable.

But having said that, of the \$4.5 billion that has been requested, Mr. Secretary, I understand \$3.3 of that would go to humanitarian aid. What would you do with that money if it was made available to you in a timely fashion?

Mr. MCALEENAN. So the \$3 billion itself is going to Health and Human Services to manage their statutorily-required responsibility to care for unaccompanied children arriving at the border, and they are arriving in record numbers right now. That seems very straightforward. They need more money to provide beds so that the kids can be kept in safe environments and not left at the border in Border Patrol stations. So that is very straightforward.

The additional \$1.1 billion for DHS is directly to address this crisis. We are talking about humanitarian support for processing centers for CBP. We are talking about additional security for those centers. We are talking about consumables, really just food, blankets, the basic supplies that you use to care for people, and for border operations.

As we noted, we are sending people temporarily to the border to help address this crisis. That costs a lot of money to do that and to sustain that. We need support for the volunteer surge. We need additional ICE detention for the single adults that are arriving in record numbers as well.

So we have got a lot of work to do across the Department to manage this crisis, both to take care of people in our custody and to ensure that we are maintaining border security while we do that.

Mr. ROGERS. Now, the Chairman and I had a chance to meet with you yesterday afternoon, and we talked a little bit about the *Flores* decision and what its impact has been on you. Can you describe that for the full committee and what a possible solution would be?

Mr. MCALEENAN. I can. So what we are seeing now is about 65 percent of those crossings are either family units or unaccompanied children. Family units have reached a record level, 59 percent so far this month of our total crossings on the border. That is a direct response to the vulnerability in our legal framework caused by a decision in a district court in late 2015, upheld in 2016, that prevented DHS from keeping families together during their immigration proceedings.

That is what we did under President Obama and Secretary Johnson. They built family residential centers where families were kept together before their immigration proceedings. It took on average about 45 days. At the end of that process—and these are appropriate settings that have schoolhouses, they have recreational facilities, they have medical centers, they have courtrooms on-site. After those proceedings, families would know whether they had a valid asylum claim and would be allowed to stay in the United States or they would be repatriated.

As soon as those repatriations started happening, the flow dropped dramatically from our first border crisis in 2014 with families and kids.

We no longer have that tool. We no longer have that authority. Now we have twice the flow coming in a direct response to that lack of our authority.

Mr. ROGERS. What could we do to alleviate that problem for you?

Mr. MCALEENAN. Simply return to the status that we had in 2014, 2015, allowing families to be kept together in appropriate settings during their immigration proceedings.

Mr. ROGERS. Well, my understanding from our meeting yesterday is that you are going to provide us language that would do that. It is my hope that the Chairman and I can bring that before this committee for a vote as soon as possible so we can get you some relief.

Now, in addition to that legislative remedy, what other legislative remedies would you like to see us move?

Mr. MCALEENAN. So the second issue that is really concerning is the unaccompanied children putting themselves in the hands of smugglers. Generally, these are teenage boys and girls that are being smuggled, \$5,000 to \$7,000 per person, all the way from Central America to our border.

Right now, they are coming because they are certain they will be allowed to stay. They are generally released to sponsors here in the United States, generally parents who are already here unlawfully. So it is a very challenging cycle that we are facing.

What the administration is proposing, I think, is very balanced and very appropriate to protect children, offering in-country refugee processing so that they can access protections, if they have a valid claim, at home, without making this journey, without being in the hands of smugglers.

But to make that effective, we also need the ability to repatriate children, just like we do for Canada and Mexico, who arrive in the United States who do not avail themselves of this opportunity or have not been found to have a valid refugee claim. I think that is a balance proposal that we would like to work with Congress on enacting.

Those two changes in law will make a dramatic impact in this humanitarian crisis.

Mr. ROGERS. Right. I appreciate you.

My time has expired. I yield back.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentlelady from Texas for 5 minutes.

Ms. JACKSON LEE. Mr. Chairman, thank you. I thank the Ranking Member for this very important oversight hearing.

Mr. Secretary, I have a very short period of time, so forgive me, but let me first of all say that you are a very fine public servant. We have had the opportunity of working over the years, and I would hesitate to say decade, because we all are very young. So thank you for your service.

Let me ask you, in the President's budget is \$5 billion for the wall. Are you here today to defend the \$5 billion request for the wall?

Mr. MCALEENAN. I am defending the entire budget request, and that is a request that comes from our front-line agents. It is not something we need everywhere on the border, but we need hundreds of miles to control critical areas where there is infrastructure on both sides and high traffic.

Ms. JACKSON LEE. The \$5 billion, as you well know, was represented to be coming from Mexico. Is it coming from Mexico?

Mr. MCALEENAN. No. It is requested for appropriations—

Ms. JACKSON LEE. So the representation was untrue?

Mr. MCALEENAN. I am not characterizing the representation as untrue. It is—

Ms. JACKSON LEE. Did the numbers from the border persons come at the exact number of \$5 billion?

Mr. MCALEENAN. So that is the amount that we can effectively apply in a given year with contracts—

Ms. JACKSON LEE. This is the President's request?

Mr. MCALEENAN. Yes. We actually need about \$18 billion for the top—

Ms. JACKSON LEE. In his request or in his budget as well, let me indicate that he has cut \$600 million from first responder Homeland Security grants. I want my firefighters to hear this very clearly, because I will oppose it extensively. The U.S. Coast Guard is cut \$864 million; surface transportation programs, \$57 million, or 44

percent; and cybersecurity, which is known to have impacted the 2016, 2018 elections, have been cut by \$40 million.

Are you here to defend those cuts, Mr. Secretary?

Mr. MCALEENAN. So on the side of the grants, Congresswoman, what I have understood is that we have deployed \$50 billion in Homeland Security grants over the past decade to——

Ms. JACKSON LEE. But here you are to defend the \$600 million cuts to our firefighters and other first responders across the Nation?

Mr. MCALEENAN. So I am defending the President's budget and explaining that we have had a number of grants go to build up capability across the country and that we have——

Ms. JACKSON LEE. I thank you. My time is short, Mr. Secretary, and I appreciate it. I indicated I appreciate your service.

We now have a list of the numbers of children that have died in custody. We should all be outraged. A 16-year-old boy, Mr. Hernandez Vasquez; Juan De Leon, 16; 7-year-old, 8-year-old, 2-year-old, and there may be others.

These are the conditions that individuals, human beings, are living in. I understand the crisis. Might I say, I have been to the border many, many times and as well understand that it is not tweets; it really is going and seeing it for yourself. I have seen it. I have spoken to people. I have spoken to a mother who gave birth 45 days and had not been to the hospital, and your CBP staff agreed with me to take her to the hospital.

But my question is—I believe there should be an internal task force set up dealing with children, dealing with children's death. My question to you is, will you set up an internal in-house task force to deal with not—you know, the individuals that are there now, and as you know, you have nobody hardly there—to deal with these deaths, to find what solutions should be put in place?

My second question would be what you are doing about added medical staff there at the border. If you would do that quickly because I have another question, please, sir.

Would you set up an internal task force to deal with this crisis——

Mr. MCALEENAN. Very quickly——

Ms. JACKSON LEE [continuing]. Of children's deaths?

Mr. MCALEENAN. I agree, Congresswoman, those conditions are not acceptable. That is why we have asked for additional support from Congress to address it. In El Paso alone, we have 55 medical professionals on board——

Ms. JACKSON LEE. Would you agree to add more, please, sir?

Mr. MCALEENAN. It is a constant focus. That is the primary focus——

Ms. JACKSON LEE. Would you agree for the internal task force?

Mr. MCALEENAN. We already have internal task forces working these issues.

Ms. JACKSON LEE. All right. Who are they? Would you give us the names of those individuals, please.

Mr. MCALEENAN. I will absolutely provide those to the committee.

Ms. JACKSON LEE. That is called an internal task force dealing with children's death? The American people are outraged.

Mr. MCALEENAN. I share their outrage.

Ms. JACKSON LEE. Let me finish my other question. First of all, I hope you look into the case of Laura Elizabeth Maradiaga-Alvarado, who was deported as an 11-year-old in my Congressional district. We saved her. Her family is seeking asylum, they have reason, from El Salvador, and we believe that the DHS and your humanitarian status can help her with that.

My last thing is, aviation is important. TSA needs jobs, needs personnel. They are the front line of aviation security, not safety.

Mr. Secretary, your position on making sure that the Transportation Security Agency has all the staff they need to protect the aviation system in this Nation and internationally.

Mr. MCALEENAN. Absolutely required. That is why I support the budget and the increase of TSOs that it contains.

Ms. JACKSON LEE. I yield back.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from New York, Mr. King.

Mr. KING. Thank you, Mr. Chairman.

At the outset, let me share the Chairman's thought of what a privilege it has been to work with you, Mr. Secretary. In my dealings with you, you have been extremely responsive and courteous, and I thank you for that and also for your years of service.

I am going to focus on two issues. One is, I keep trying to remind everyone that this committee began after 9/11. It was originated mainly for the purpose of counterterrorism. Obviously, immigration is vital, and I support what you are trying to do.

On the issue of counterterrorism, though, the fact is, beginning under the Obama administration and the first 3 budgets of the Trump administration, there have been dramatic cuts in the money going to police and fire. Like in New York alone, there are over 1,000 police officers working full-time on counterterrorism. To me, there is no way we can absorb those cuts. In each of these years, the money has been restored, both in the Obama administration and under the Trump administration. Again, I am hopeful that that money will be restored again. But I hope that that doesn't indicate any diminution of interest by the Department as far as co-operating and working to stop a terrorist attack.

My district lost over 150 people on 9/11. We still have people dying from 9/11 illnesses. To see that kind of money being cut out, which would really undercut the police counterterrorism and intelligence units in New York—I am not trying to make this parochial, but that was why the Department was created.

So I just—again, I don't mean this in a pandering way, but if you can just acknowledge that this is still a prime focus of the Department; and if the money is restored, the money will be spent properly by the Department?

Mr. MCALEENAN. I can confirm both of those things. I mean, Congressman, we appreciate your long expertise and support on the counterterrorism mission. My second trip as Acting Secretary was to New York to highlight the CT issues. I visited the 9/11 museum again just to get refreshed and focused on our mission and requirements. It does not reflect any lack of priority for the Department in this mission set. It remains why we were created, our top

priority for the American people, and we are going to continue to stay focused on it and be effective at it.

Mr. KING. Thank you, Secretary.

On the issue of MS-13, this was particularly vital in my district. From the fall of 2015 until April 2017, we had 25 murders carried out by MS-13. These are the most brutal type of murders, people being hacked to death, beheaded. It was absolutely horrible.

Since the administration got actively involved, there has not been 1 murder in the last 2 years. It is a story that is not really reported. But the increase in HSI, the increased number of prosecutors by the administration, the new technology going to the police has been extremely effective. Now, MS-13 is down, but they are not out, and they are still a very potent force.

On the issue of unaccompanied minors, it was the Suffolk County Police Commissioner, who, by the way, was appointed by an Democratic administration. This is not a partisan issue. He was the one who first came to me to show the direct correlation between unaccompanied minors and MS-13, that many of these young people—maybe it is only 3, 4 percent, but it is 3, 4 percent of a big number—were either sent across by MS-13 or the sponsoring families were either MS-13 families or families who had relatives back in El Salvador who were being threatened.

In a recent murder indictment, 7 of the 11 who were indicted for the murder were unaccompanied minors. They had come across the border in just the last 4 years as unaccompanied minors.

Schools like in Brentwood and Central Islip, students were put in there, and they were never told by DHS or by ORR or HHS that these children were unaccompanied minors. They were not given any background on the criminal history of them or their families that were taking them in. I know there is a memorandum of understanding with you and HHS, I guess, and ORR.

Can you say whether or not, as a result of the investigations, the vetting that will be carried out of the minors and their families, will the local police and school districts be made—you know, will that info be made available to them?

Mr. MCALEENAN. So thank you, first, for your comments on the work of ICE and HSI to address public safety threats in our country and specifically in communities affected by MS-13. That is going to continue to be a priority and focus for the Department.

We are very worried about gangs exploiting this crisis. To send unaccompanied children, teenagers, who they have already recruited into the United States, that can go through our process and be released to a sponsor here in the United States with an intent to join a gang, that is a serious concern. We also see families bringing children who are not their own, 3,500 cases of fraud this year.

We have an HSI team that has been on the border for 2 weeks working these issues in El Paso and RGV alone. They found—500 interviews, they found 165 cases of fraud. They are getting prosecutions of these adults that are bringing families in, and we are seeing, unfortunately, even child recycling, children being brought across twice.

You mentioned the critical partnership with HHS. We did have an MOA on information sharing that has been suspended by a rider in the appropriations bill. That diminishes our ability to pro-

vide security. It diminishes our ability to share information on the sponsors who are picking up children on their immigration status, on their potential criminal history, and that is a barrier that should not be there because it is critical.

Last point I will make is the attorney general just went to Central America to focus on the anti-gang initiatives and the collaboration between the Department of Justice and authorities in El Salvador and elsewhere. That has been a very effective tool because we are getting additional information on criminal records and gang history in Central America that we can then apply at the border and in concert with our DOJ counterparts. We need to keep that up.

Mr. KING. My time has expired. I would just emphasize that a number of those murders, brutal, brutal murders were carried out by accompanied minors.

Thank you.

Chairman THOMPSON. The Chair recognizes the gentlelady from New Mexico, Ms. Torres Small.

Ms. TORRES SMALL. Secretary McAleenan, thank you for your service and for stepping up at a time that is challenging all of us.

I only have 5 minutes, and we have a lot of work to do, so I appreciate the efficiency in your responses so far and ask that you continue.

Rio Grande Sector has the largest number of apprehensions for families and unaccompanied minors, correct?

Mr. MCALEENAN. Correct.

Ms. TORRES SMALL. El Paso Sector is second?

Mr. MCALEENAN. Correct.

Ms. TORRES SMALL. Yuma is third?

Mr. MCALEENAN. Correct.

Ms. TORRES SMALL. OK. So we have received notification that CBP is working with ICE to provide aircraft flights and bus transportation for unprocessed families—or migrants from Rio Grande Valley and Yuma Sectors to other lower-level sectors, right?

Mr. MCALEENAN. Right.

Ms. TORRES SMALL. Why isn't El Paso receiving the same service?

Mr. MCALEENAN. They are on the list. There is going to be a flight from El Paso this week.

Ms. TORRES SMALL. We received clarification this morning that that flight was only a stopover for refueling. Is that inaccurate?

Mr. MCALEENAN. I am told by CBP that they have a flight going to San Diego Sector where we have some additional capacity. I will follow up on that, Congresswoman.

Ms. TORRES SMALL. That would be amazing. If there is any way we can do that, I deeply appreciate that it is something you note is important.

Mr. MCALEENAN. Yes.

Ms. TORRES SMALL. Great.

Mr. MCALEENAN. El Paso has seen the starkest increase in family units, as you know.

Ms. TORRES SMALL. Absolutely. Thank you for recognizing that and responding to it.

Pivoting quickly to Border Patrol OR releases. After Border Patrol processes family units, what are the steps that CBP takes to decide when and where large groups are released?

Mr. MCALEENAN. Yes. So this is something we have to work closely with local communities, with nongovernmental organizations. We want to make sure there is capacity in the transportation system or in the NGO's to house people effectively so that we are not leaving them in situations that are—that are uncomfortable and unacceptable.

Ms. TORRES SMALL. Thank you so much for saying that. I truly believe that you understand the challenges that the communities I represent are experiencing.

Is there a requirement to do that consultation with NGO's and local governments?

Mr. MCALEENAN. That is CBP policy. That is our expectation of our field leadership.

Ms. TORRES SMALL. Thank you. Is it—is it a requirement or just expectation?

Mr. MCALEENAN. It is a stated direction from the chief of the Border Patrol and the executive assistant commissioner for field operations.

Ms. TORRES SMALL. Great. Is there a time—a time amount for advanced notice that is provided in that direction?

Mr. MCALEENAN. As much as can be provided so that it can be effectively coordinated. Sometimes a situation of the numbers in custody mandate a quicker action. We are also sometimes not having the right point of contact. I have got some feedback from a New Mexico senator yesterday on these issues, and we are going to be tightening that coordination.

Ms. TORRES SMALL. Great. To any extent, if you could set a minimum amount of time of notice, that would be very helpful.

Mr. MCALEENAN. I think we can set an expectation, but we wouldn't want to direct from Washington all field situations operationally.

Ms. TORRES SMALL. So speaking to that, who ultimately makes the decisions of when and where a release occurs?

Mr. MCALEENAN. Those would be the sector chief locally.

Ms. TORRES SMALL. Are there directives that come from Washington advising on when and where?

Mr. MCALEENAN. Yes. As I mentioned, we have given guidance to the field on our expectations for coordination.

Ms. TORRES SMALL. Thank you.

So now to migrant processing. In conversations with both ICE and then CBP, it is apparent that both agencies believe that neither of them should be responsible for processing asylum seekers. Border Patrol says that ICE has the better resources for processing. CBP—or ICE believes that Border Patrol has the responsibility because they are the first to encounter migrants. This disconnect seems to exacerbate scarcity in resources and it seems to stem from a lack of leadership saying simply who is responsible.

So, Mr. McAleenan, what agency is responsible for processing asylum seekers?

Mr. MCALEENAN. So, actually, the CIS, if you are talking about doing an asylum officer interview.

But just to clarify, I think I want to get to the point of your question. As I am Acting Secretary, we are going to handle this as a team. This is a mission that has overtaxed CBP, ICE, CIS, HHS, and the Department of Justice immigration courts. We are—no element of that system is adequately resourced for the flow that we are seeing. So we have to address it as a team. We are seeing that with our transportation.

In El Paso Sector, which you are most familiar with because it covers New Mexico, the transportation is done exclusively by CBP. Originally, the intent was for ICRO to handle transportation. We are filling gaps, working together, and that is my expectation.

Ms. TORRES SMALL. I appreciate that. But clarity is also helpful for working as a team. So is there a clear directive of who is responsible for putting together the paperwork and the notice to appear?

Mr. MCALEENAN. So depending on the local area, the available resources, we are going to try to apply the best effort to that.

The Border Patrol is supposed to be on the border doing interdictions. ICE is supposed to be doing processing and removal or interior enforcement. Right now, they are both—

Ms. TORRES SMALL. ICE supposed to be doing processing?

Mr. MCALEENAN. Well, generally, yes. But right now, they are both handling the processing of family units, depending on the station or sector.

Ms. TORRES SMALL. So there is no directive right now about who—even to specific areas, there is no specific directive?

Mr. MCALEENAN. The directive is to work together to get this mission done as efficiently and as effectively as possible.

Ms. TORRES SMALL. Thank you.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Louisiana, Mr. Higgins, for 5 minutes.

Mr. HIGGINS. Thank you, Mr. Chairman.

Mr. Secretary, thank you for your service, sir, and thank you for maintaining your professional bearing, despite some of the tone you face today.

My colleagues across the aisle mentioned the word “squander” regarding the President’s budget. While the American Treasury is certainly subject to close scrutiny by the American people that provide it, the American people certainly do recognize the well-established fact that politicians and bureaucrats in the District of Columbia squander the money seized from the paychecks of working Americans. However, the citizenry does not consider National security, homeland security, to be a waste of money.

I can name scores of Federal expenditures that squander the people’s treasure. But securing our borders and maintaining our very sovereignty is perhaps the single most important mission the Federal Government should accomplish and is certainly not squandering.

Decisions regarding the essential needs of law enforcement to secure our homeland should be determined by the Department of Homeland Security, law enforcement professionals, not by career politicians in the District of Columbia and unknown, unelected bureaucrats.

So thank you, sir, for representing those law enforcement professionals and their needs today.

I ask you, is the Department of Homeland Security making progress toward achieving operational control of our Southwest Border?

Mr. MCALEENAN. We are. Through a combination of the investments in 2018, the received funding in 2019, the border barrier is going to make a big impact——

Mr. HIGGINS. Roger that. Would the President's budget, as submitted, if approved by this Congress, would it help you to accomplish a mission?

Mr. MCALEENAN. Absolutely. It would accelerate our efforts.

Mr. HIGGINS. Thank you, sir. Since President Trump entered office, how many replacement miles, secondary miles, or new linear miles of enhanced physical barrier system have been funded on the Southwest Border, and how many have been completed or are currently being built? Give us an idea of that, please.

Mr. MCALEENAN. Sure. So out of the \$3.6 billion in fiscal year 2017, 2018, 2019 funding and money from the Treasury Forfeiture Fund, we are applying that currently to fund a total of 336 miles of border wall.

Mr. HIGGINS. You are getting the job done, sir——

Mr. MCALEENAN. Yes.

Mr. HIGGINS [continuing]. With the money that has been provided?

Mr. MCALEENAN. We are going to get part of the job done.

Mr. HIGGINS. Roger that.

Mr. MCALEENAN. We have asked for more.

Mr. HIGGINS. And you need, as a law enforcement professional, as the Secretary of the Department of Homeland Security, in charge of securing our Southern Border and the sovereignty of our Nation, do you concur with the budget request as it has been submitted?

Mr. MCALEENAN. I absolutely do. This request comes from our men and women on the ground that——

Mr. HIGGINS. As it should.

The approximately 300 miles for fiscal year 2020 budget to be prioritized along the Southwest Border, that is my understanding. Can you explain why?

Mr. MCALEENAN. Why it would be prioritized?

Mr. HIGGINS. Why that money would be prioritized for an enhanced physical barrier along the Southwest Border particularly. Explain to the American people why, please.

Mr. MCALEENAN. Yes. The Southwest Border has two dynamics on the border security front. We have got 30,000 to 40,000 people a month trying to evade capture crossing that border, and we have increasing amounts of drug smuggling. We are talking about hard narcotics, potent opioids, like Fentanyl, synthetic opioids, that are killing Americans in communities all over the country.

Mr. HIGGINS. Many Americans are dying from this poison pouring across our border. I would concur.

With enhanced physical barriers, as requested by the Department of Homeland Security and evaluated as necessary by the law

enforcement professionals on the ground, do you concur that enhanced physical barriers will help you accomplish your mission?

Mr. MCALEENAN. Yes.

Mr. HIGGINS. Thank you.

What technological advancements along the borders have been implemented generally, and how will the fiscal year 2020 budget further those investments?

Mr. MCALEENAN. I will make two—three key points on that. One, every mile of border barrier comes with technology. It comes with fiberoptic sensors, cameras, lighting. It is not just a dumb wall. It is fully supported by technology that tells our agents what is happening in those areas.

Second—

Mr. HIGGINS. You said something. It is indeed a, quote/unquote, smart wall, is it not, good sir?

Mr. MCALEENAN. Indeed. No question. It is a smart barrier.

Second, the 2020 budget would continue to fund our innovative tower effort to provide surveillance capability in those areas where we don't have border barrier to extend our view of the border and to cue agents on where to respond.

Third, it would put sensors in aircraft that are higher resolution and that are modernized that help surveil the border from the air.

Mr. HIGGINS. Thank you, Mr. Secretary.

Yes or no, if Congress passed a law correcting the flaws and loopholes in the *Flores* settlement, would that help us control this flow?

Mr. MCALEENAN. That would help dramatically.

Mr. HIGGINS. Thank you, sir.

I yield, Mr. Chairman.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentlelady from Illinois, Ms. Underwood.

Ms. UNDERWOOD. Thank you, Mr. Chairman.

Acting Secretary McAleenan, you told MSNBC that families at the border are being separated in a humane and civilized way. Let me tell you, sir, that the people of Illinois' 14th District do not think that this policy is civilized. As a nurse, I can tell you that it is definitely not humane. We know that there are alternatives like family case management that keep our country safe and secure without traumatizing innocent kids.

Yes or no, can you commit that DHS will not restart family separations under your leadership?

Mr. MCALEENAN. So the President of the United States has said that we are not looking at doing that again.

Ms. UNDERWOOD. So under your leadership—

Mr. MCALEENAN. There is an Executive Order in place that says we are not going to—take zero tolerance prosecutions—not family separations, but prosecuting adults that are violating the law and resulted in separations, we are not going to restart that right now.

Ms. UNDERWOOD. OK. So you have made a commitment that you will not restart family separations under your leadership?

Mr. MCALEENAN. So I think the President's statement suffices as a commitment for the administration.

Ms. UNDERWOOD. OK. Now, I want to know whether you are aware of what family separation does to children's mental and

physical health. I only have 5 minutes. So for these questions, I am looking for a yes-or-no answer, sir.

Are you aware of research showing that family separations causes trauma that can do both immediate and long-term damage to children's health? Yes or no.

Mr. MCALEENAN. So what—you are asking questions about something that is not happening, Congresswoman. So the separations that are occurring now are only in result for family—of the prosecution of the adult for a serious criminal offense—

Ms. UNDERWOOD. I am not asking about that, sir.

Mr. MCALEENAN [continuing]. Welfare of the child, communicable disease—

Ms. UNDERWOOD. Excuse me. Reclaiming my time. That was not the line of questioning.

My questioning was, are you aware of the impact of family separation and the trauma on children's long-term physical and mental health?

Mr. MCALEENAN. OK. Again, you are asking about something that we are not doing. So I am not sure this line of questioning is going to be effective.

Ms. UNDERWOOD. I am not asking are you doing it, sir. The question is, are you aware—are you, sir, as the Acting Secretary of DHS, aware of research that shows that family separation causes trauma?

Mr. MCALEENAN. Yes. I have talked to Dr. Colleen Kraft of the American Association of Pediatricians. I am aware of the research and—

Ms. UNDERWOOD. Thank you.

Mr. MCALEENAN [continuing]. And we solicit support and input from pediatricians in managing our responsibilities at the border.

Ms. UNDERWOOD. Right. Are you aware that the trauma of family separation is connected to something called toxic stress?

Mr. MCALEENAN. Yes. Again, you are asking about something we are not doing.

Ms. UNDERWOOD. Right. But you are aware?

Mr. MCALEENAN. Yes, I am aware of the research, as I noted.

Ms. UNDERWOOD. And then are you aware that toxic stress can actually change a child's brain because it is still developing? Yes or no.

Mr. MCALEENAN. I read the study.

Ms. UNDERWOOD. OK. Great. Are you aware that the effects of these traumas are cumulative, that they get worse the longer the trauma goes on?

Mr. MCALEENAN. I think I have answered this line of questioning.

Ms. UNDERWOOD. Yes.

Mr. MCALEENAN. I have already said I am familiar.

Ms. UNDERWOOD. OK. Are you aware that the traumatic effects don't go away even if a child is reunited with their family?

Mr. MCALEENAN. Again, you are asking about something we are not doing. So, yes, I am aware, and it is not being done.

Ms. UNDERWOOD. Are you aware that family separation can lead to behavioral changes and learning delays for children?

Mr. MCALEENAN. I think I have answered this line of questioning. I have already answered. You are talking about the same research.

Chairman THOMPSON. Mr. Secretary, just answer the question yes or no. I am probably the most reasonable Chairman. Just answer the question. Just say yes or no.

Mr. MCALEENAN. I have already answered yes, Mr. Chairman. It is the same study that she is citing, different parts of it. So if I have acknowledged that I am familiar with it, that is probably sufficient.

Chairman THOMPSON. It is not.

Mr. MCALEENAN. OK.

Ms. UNDERWOOD. Yes, you are aware?

Mr. MCALEENAN. Yes.

Ms. UNDERWOOD. OK. Are you aware that family separation can lead to behavioral changes and learning delays for children?

Mr. MCALEENAN. Yes. I have read the study.

Ms. UNDERWOOD. OK. Are you aware that increases a child's risk of heart disease, diabetes, and cancer?

Mr. MCALEENAN. Yes. I have read the study.

Ms. UNDERWOOD. OK. Are you aware that increases a child's risk of anxiety, depression, and substance abuse?

Mr. MCALEENAN. Yes. I have read the study.

Ms. UNDERWOOD. Great. In fact, the American Psychological Association reports that, "family separation is on par with beating and torture in terms of its relationship to mental health."

Are you aware of that?

Mr. MCALEENAN. I am familiar with this information. Thank you.

Ms. UNDERWOOD. OK. The truth is, sir, that family separation does irreparable damage to children while doing nothing for our National security. It is immoral, it is un-American, and it is just plain wrong.

I am glad to hear you say that it is not happening, sir. But I went to the border last month, and I was truly shocked by the conditions that I saw there. Medical—medical care was inconsistent, at best, and the accommodations were inadequate. Just last week, we saw new photos of detained children sleeping outside on the dirt at a Border Patrol station in McAllen, Texas. And on Monday, we learned that a fifth migrant child died in custody since family separation began. These stories are appalling, and yet they keep happening.

Now, Congress just provided half a billion dollars in February to address the humanitarian crisis at the border and will soon provide more. Why do these tragedies keep happening?

Mr. MCALEENAN. So they are happening because the crisis is exceeding the resources provided. That is why we have asked for more, and we have asked for more authority to deal with it to prevent this crisis from happening in the first place and from the children being put at risk.

We have deployed the funding from fiscal year 2019 that Congress has authorized. We have increased our temporary facilities by 500 beds in Donna, by 500 in El Paso. We have got 3 additional soft-sided facilities coming on-line in June. We have deployed med-

ical practitioners. We now have over 100 certified medical practitioners in our two busiest sectors.

We have asked——

Ms. UNDERWOOD. Right, but people keep dying, sir.

Mr. MCALEENAN [continuing]. For more money to extend that.

Ms. UNDERWOOD. People keep dying. So this is obviously more than a question of resources. Congress has been more than willing to provide the resources and work with you to address the security and humanitarian concerns.

* * * * *

[Remarks removed.]

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you.

Mr. MCALEENAN. That is an appalling accusation. Our men and women fight hard to protect people in our custody every single day.

We have asked for these resources 3 weeks ago. It hasn't been responded to by Congress. We have asked for changes in authorities for the last 3 years that would have prevented this from happening.

Mr. ROGERS. Mr. Chairman, I ask to be recognized.

Chairman THOMPSON. The gentleman's time has expired. The gentleman asked to be recognized.

Mr. ROGERS. I ask—I make a motion that the lady's words be taken down.

Chairman THOMPSON. The motion dies for lack of a second. Already died.

The gentleman from New York is recognized for 5 minutes, Mr. Katko.

Well, counsel asked me to ask Ms. Underwood to clarify her statement for the record.

Ms. UNDERWOOD. I will be happy to, Mr. Chairman.

I said that this is more than a question of resources. Congress has been more than willing to provide resources and to work with you, Mr. Secretary, to address these security and humanitarian concerns.

I yield back.

Mr. ROGERS. Mr. Chairman, you cannot impugn the character of the witness by stating that he intentionally murders children. That is completely inappropriate, and her words should be taken down. She was very explicit.

Chairman THOMPSON. I asked her to rephrase it. She just did.

Mr. ROGERS. She did not, she restated it.

Ms. UNDERWOOD. I restated. I restated. I did not say murder. I said that 5 children have died as a result of a policy choice that he——

Mr. ROGERS. You said it was intentional. That is murder.

Ms. UNDERWOOD. Excuse me, sir. I am still talking.

He has said that he stands by the policy decisions of this administration. That is what he said at the beginning of his testimony.

Mr. MCALEENAN. I did not say that at all.

Ms. UNDERWOOD. And he says he stands by the budget request. This is a policy choice——

Mr. ROGERS. He said the policy is they stopped those detentions. They don't do any of those separations. He has made that clear re-

peatedly. You refuse to listen to him. That is not the point. You said he intentionally supported policies that caused the death of children. That is wrong. Your words need to be taken down.

Mr. Chairman——

Ms. UNDERWOOD. No. Mr. Ranking Member, this happened this week. Yesterday another child died under his leadership.

Mr. ROGERS. Because we can't get the resources to help them. That is what he is here trying to get is the money to stop this.

Chairman THOMPSON. Well, the Chair will call for a vote. I will not take the vote to take down the words. We will ask——

[Discussion off the record.]

Chairman THOMPSON. Well, thank you very much. The Chair rules that the language is appropriate and that it should not be taken down.

Mr. ROGERS. I would like a recorded vote.

Chairman THOMPSON. Request for a recorded vote has been called. We will ask the clerk to call the roll.

The CLERK. Ms. Jackson Lee. Ms. Jackson Lee.

[No response.]

The CLERK. Mr. Langevin.

Mr. LANGEVIN. No.

The CLERK. Mr. Langevin votes no.

Mr. Richmond. Mr. Richmond.

[No response.]

The CLERK. Mr. Payne. Mr. Payne.

[No response.]

The CLERK. Miss Rice.

Miss RICE. No.

The CLERK. Miss Rice votes no.

Mr. Correa. Mr. Correa.

Chairman THOMPSON. Hold on. We need to make sure that people understand the vote.

The vote is sustaining Ms. Underwood's—let me read the language.

[Discussion off the record.]

Chairman THOMPSON. According to the Chair, the committee stands in recess, subject to the call of the Chair.

In the interest of—for what purpose does the gentleman seek recognition?

Mr. ROGERS. Mr. Chairman, I appeal the ruling of the Chair.

Chairman THOMPSON. The gentleman from Alabama moves to appeal the ruling of the Chair. The question now appears, shall the ruling of the Chair stand and the ruling of the committee?

Those in favor of opposing the Chair's opinion, vote aye.

Those opposed, vote nay.

The clerk will call the roll.

The CLERK. Ms. Jackson Lee. Ms. Jackson Lee.

[No response.]

The CLERK. Mr. Langevin.

Mr. LANGEVIN. No.

The CLERK. Mr. Langevin votes no.

Mr. Richmond. Mr. Richmond.

[No response.]

The CLERK. Mr. Payne. Mr. Payne.

[No response.]
 The CLERK. Miss Rice.
 Miss RICE. No.
 The CLERK. Miss Rice votes no.
 Mr. Correa. Mr. Correa.
 [No response.]
 The CLERK. Ms. Torres Small. Ms. Torres Small.
 [No response.]
 The CLERK. Mr. Rose.
 Mr. ROSE. No.
 The CLERK. Mr. Rose votes no.
 Ms. Underwood.
 Ms. UNDERWOOD. No.
 The CLERK. Ms. Underwood votes no.
 Ms. Slotkin. Ms. Slotkin.
 [No response.]
 The CLERK. Mr. Cleaver. Mr. Cleaver.
 [No response.]
 The CLERK. Mr. Green of Texas. Mr. Green of Texas.
 [No response.]
 The CLERK. Ms. Clarke. Ms. Clarke.
 [No response.]
 The CLERK. Ms. Titus.
 Ms. TITUS. No.
 The CLERK. Ms. Titus votes no.
 Mrs. Watson Coleman. Mrs. Watson Coleman.
 [No response.]
 The CLERK. Ms. Barragán.
 Ms. BARRAGÁN. No.
 The CLERK. Ms. Barragán votes no.
 Mrs. Demings. Mrs. Demings.
 [No response.]
 The CLERK. Mr. Rogers.
 Mr. ROGERS. Yes.
 The CLERK. Mr. Rogers votes yes.
 Mr. King. Mr. King.
 [No response.]
 The CLERK. Mr. McCaul. Mr. McCaul.
 [No response.]
 The CLERK. Mr. Katko.
 Mr. KATKO. Yes.
 The CLERK. Mr. Katko votes yes.
 Mr. Ratcliffe.
 Mr. RATCLIFFE. Yes.
 The CLERK. Mr. Ratcliffe votes yes.
 Mr. Walker. Mr. Walker.
 [No response.]
 The CLERK. Mr. Higgins. Mr. Higgins.
 [No response.]
 The CLERK. Mrs. Lesko. Mrs. Lesko.
 [No response.]
 The CLERK. Mr. Green of Tennessee.
 Mr. GREEN of Tennessee. Yes.
 The CLERK. Mr. Green of Tennessee votes yes.

Mr. Taylor.

Mr. TAYLOR. Yes.

The CLERK. Mr. Taylor votes yes.

Mr. Joyce. Mr. Joyce.

[No response.]

The CLERK. Mr. Crenshaw.

Mr. CRENSHAW. Yes.

The CLERK. Mr. Crenshaw votes yes.

Mr. Guest.

Mr. GUEST. Yes.

The CLERK. Mr. Guest votes yes.

Ms. Jackson Lee.

[No response.]

The CLERK. Mr. Richmond.

[No response.]

The CLERK. Mr. Payne.

[No response.]

The CLERK. Mr. Correa.

[No response.]

The CLERK. Ms. Torres Small.

[No response.]

The CLERK. Ms. Slotkin.

Ms. SLOTKIN. Yes.

The CLERK. Ms. Slotkin votes yes.

Mr. Cleaver.

[No response.]

The CLERK. Mr. Green of Texas.

[No response.]

The CLERK. Ms. Clarke.

[No response.]

The CLERK. Mrs. Watson Coleman.

[No response.]

The CLERK. Mrs. Demings.

[No response.]

The CLERK. Mr. King.

Mr. KING. Yes.

The CLERK. Mr. King votes yes.

Mr. McCaul.

[No response.]

The CLERK. Mr. Walker.

[No response.]

The CLERK. Mr. Higgins.

[No response.]

The CLERK. Mrs. Lesko.

[No response.]

The CLERK. Mr. Joyce.

[No response.]

Chairman THOMPSON. How am I recorded?

The CLERK. The Chairman is not recorded.

Chairman THOMPSON. No.

The CLERK. Mr. Thompson votes no.

Mr. TAYLOR. Mr. Chairman. Mr. Chairman, over here. Parliamentary inquiry. So rule XXVII, section 4 of the House rules, a Member cannot vote on something that they have a direct—that di-

rectly impacts them. With great respect to my colleague from Illinois, I believe this vote is directly about her, so I think respectfully she should withdraw her vote to be compliant with rule XXVI, section 4 of the House rules. XXVII, excuse me.

Chairman THOMPSON. Not a valid point.

The clerk will announce the vote.

The CLERK. This vote, there are 9 yeas and 7 noes.

Chairman THOMPSON. The words will be taken down.

The Chair recognizes the gentleman from New York, Mr. Katko.

Mr. KATKO. Thank you, Mr. Chairman. Before I ask my question, I just want to note a personal observation. I was a Federal prosecutor down in the El Paso border for years. I interacted with agents on a regular basis. These agents were shot at, these agents were assaulted. These agents dedicate and risk their lives every moment of every day to try and keep this country safe. I don't think anyone is intentionally trying to commit harm to anyone down there.

I just hope that moving forward, this committee is reminded of the long and storied history of bipartisanship and trying to get the job done and trying to keep our country safe, instead of making personal things that are unfortunate.

So with that, I just want to refocus our attention, Mr. McAleenan, on a different part of the budget, a part of the budget I think is critically important, it is often overlooked. I don't know if overlook is the right word but not as prioritized as some of the other issues of today, and that is cybersecurity.

As Ranking Member of the Cybersecurity Subcommittee, I see every day the vulnerabilities that our country faces in the cyber realm. Just yesterday or the day before, I visited the CISA section in general, and the CERT teams, and the National cybersecurity and technical services area. I was overwhelmingly impressed by their ability to get the things done they get done with the little resources that they have.

So if you could, Mr. McAleenan, could you tell us what priority the cybersecurity is within the budget and whether those, the resources requested are adequate to getting a job done? I also—when we finish with that, if you don't touch on it yourself, I do want to talk about the cyber work force issue and whether or not we are sufficiently addressing the needs of the cyber work force.

Mr. MCALEENAN. Thank you. I appreciate the opportunity to talk about both of those. I would, if appropriate, also appreciate the opportunity to outline all the steps we have taken to provide increased medical care for children in our custody. But focusing on cyber first.

Mr. KATKO. Please do. OK.

Mr. MCALEENAN. The \$1.3 billion request for the Cybersecurity and Infrastructure Security Agency is a significant request. For the first time it includes \$20 million directed to election security, the Protect 2020 initiative. We appreciate your visit in support of our men and women in this area.

I have tremendous confidence in the leadership of CISA with Chris Krebs, their strategy, both vote for election 2020, but also securing the dot-gov infrastructure, and for bringing on additional cybersecurity professionals. The additional authority, the ability to

provide salaries that are more competitive, not quite what they can make in the private sector, but commensurate with the mission, plus some additional funding will allow us to compete for cybersecurity talent. We have a good strategy to go out and find and bring those people on board swiftly.

In engaging with private-sector entities that are critical partners on the financial infrastructure, for instance, I am hearing a lot of very good things about what CISA is doing, about our strategy, and I intend to amplify that and support it as Acting Secretary. It is an area that I am learning a lot about.

Mr. KATKO. I commend the Chairman and my colleagues for highlighting this issue in a hearing yesterday. We are going to continue to do that.

Now, if there is something you want to clarify from your last round of questioning, please do so.

Mr. MCALEENAN. Thank you. I would just note that as we started to see more children come into our custody both with families and children, last July, we began to divert operational resources to address medical care of children. I directed that through Border Patrol funding.

In July, I requested a Homeland Security advisory council subcommittee highlight these issues and advise us on family and child care in our custody. They have completed an emergency report on April 19 that I commended this committee with a number of recommendations for both resources and support and care requests.

In December, when we had the first and second deaths of a child in our process, for the first time in over a decade, we aggressively ramped up our medical care, without the funding. I went ahead and authorized additional contracting, additional facilities without the funding even there.

In January, we requested \$800 million in humanitarian aid as part of the budget package. We got a little bit over half of that. I requested \$1.1 billion 3 weeks ago. We have requested Coast Guard medical teams who have responded and are on-site with us at the border. We have the Public Health Service Commission Corps providing medical care at the border. We have hundreds of medical care professionals that were never in Border Patrol stations there now because of actions we have taken to try to protect children in our custody.

I am proud of that record. We are working hard to address it. But this crisis exists because of our legal framework, because we are inviting the kids to make——

Mr. KATKO. Yes. I don't mean to interrupt. I have a few more and just a little time. I just want to make sure I get this point clear. Is it fair to say that if we increase budget resources for the border area, we can increase even more your effort to try and keep these children safe and healthy? But it is overwhelming how many people are coming in. Is it fair to say more money would definitely help the issue?

Mr. MCALEENAN. More money would definitely help, but a change in the authorities would help even more.

Mr. KATKO. Thank you very much. I yield back, Mr. Chairman.

Chairman THOMPSON. The Chair recognizes the gentlelady from Las Vegas, Ms. Titus, for 5 minutes.

Ms. TITUS. Thank you, Mr. Chairman.

Mr. Secretary, I just would like to follow up with a question about Puerto Rico because my numbers aren't exactly the same as the President's. It is my understanding that roughly \$11 million has been spent and \$41 billion has been allocated for recovery in Puerto Rico. That is a lot different from the \$91 billion that has been tweeted by the President. So I don't know if you can confirm those numbers or dispute them or can get back to us?

Mr. MCALEENAN. We can get back to you on the numbers.

Ms. TITUS. All right. I hope so, because there is a big difference in our numbers and the \$91 billion.

I also share the concerns of Mr. King about the antiterrorism component of DHS. You want \$5 billion to build a wall to kind-of keep out sick children, I guess. Yet at the same time, you are cutting \$213 million from the UASI grants. Las Vegas welcomes over 40 million tourists a year. We had the worst shooting in modern history there. We need those UASI grants to complement what we do at the local level to fight terrorism.

I wonder how you justify that you can keep up with that component of your mission while cutting the funding.

Mr. MCALEENAN. So, obviously, the grants in our partnership with State and locals are critical to the Homeland Security enterprise writ large. In talking with our team that oversees the grants at FEMA, my understanding is the \$50 billion we have deployed over that last decade plus has dramatically increased capacity across the board for State and locals and that we are looking for shared responsibility. Shared investments with communities around the country to maintain their capability, while we still have significant funding dedicated through UASI grants.

If there are specific areas of concern, I am happy to look at that, to talk it through with the FEMA team and understand the levels that we are applying. But this is my understanding from looking at the budget with them in hearing their recommendations.

Ms. TITUS. Well, I hope you will talk with our sheriff from Las Vegas because they are concerned that the fusion center that brings in all the first responders that, not only are you cutting their funds, but you are now requiring a local match. That will put a serious burden, I think, on our capabilities in Las Vegas.

Mr. MCALEENAN. I understand the concern. I am happy to continue that conversation.

Ms. TITUS. Another question that is kind-of not in keeping with what has been going on here, but I think it is important because of the State I represent is a recent directive that y'all issued from your Department that would block legal residents from working in the legal cannabis industry. Now, a number of States have legalized marijuana in one form or another, it is over half the States, and they are moving in this direction. You have said that an applicant who is involved in certain marijuana-related activities may lack good moral character.

Well, if we use that term, there may be some people involved in legal political activities that lack good moral character based on some of our judgment. But I just wonder why you would come to that conclusion. It is a legal business at the State level. It is a highly-regulated business, and because it is so security-concerned,

I think there is much more scrutiny of people who work in this industry than in any other, besides gaming, that I can think of in Nevada. How did y'all come to that decision?

Mr. MCALEENAN. I am actually not familiar with that decision process, but I can certainly look into it and get back to you. Obviously, there is a difference of viewpoint in the enforcement of marijuana laws between the Federal and some of the emerging State jurisdictions. But it is something that I will look at.

Ms. TITUS. Thank you.

I am going to ask you one other question. There is a tremendous backlog that we hear about with access to citizenship, visas, work visas, family visas, humanitarian visas, all kind of relief. I think you had a backlog of 2.3 million cases last year. We have not seen this kind of backlog since right after 9/11 when the new security measures were put in place, yet you want to transfer \$207 million.

Again, you have an obligation to do something, and you are cutting your request for funding while telling this committee you need more resources to deal with the crisis. Clearly, citizenship and visas are part of that crisis.

Can you tell us how you justify that and what your plans are for getting rid of this backlog?

Mr. MCALEENAN. So I am not familiar with the specific cut you are referencing, Congresswoman, but I can tell you that CIS does have a backlog but is working very hard on this processing. They naturalized more people last year than any year prior as a record level of efforts in the naturalization. We are working on immigrant visas across the board on H-1B, H-2A programs. So I know we have a growing backlog in asylum cases which is driven by this flow at the border, but I think they are working very hard as a fee-funded agency to keep up with the rest of the naturalization process, et cetera.

Ms. TITUS. It is fee-funded. In fact, \$700, which is very expensive. Many people can't afford that fee who would like to move into different channels, get different visas, perhaps get citizenship. So with that kind of fee and this kind of cut, I am not sure that you are kind of balancing priorities there or have the resources that will work best.

Mr. MCALEENAN. I know the fees are assigned based on the cost for administering each program and each application. I will take a look at the cut issue that you are referencing.

Ms. TITUS. I appreciate that.

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Texas, Mr. Ratcliffe.

Mr. RATCLIFFE. Thank you, Chairman.

Mr. Acting Secretary, thank you for being here and testifying on the President's fiscal year 2020 budget request for DHS.

As you know, President Trump has set an agenda that I believe does prioritize the safety and security of the American people, an agenda that includes a robust border security operation, strong cybersecurity protections, both for our networks and for our critical infrastructure, and a comprehensive strategy to prevent potential terrorists from ever setting foot on American soil. But as you have

already talked about today, unfortunately we are facing a dire humanitarian and security crisis at our Southern Border.

Border agents in my home State of Texas have provided statistics that I just saw yesterday indicating that they are averaging 229 migrant apprehensions per hour, or 5,500 per day, more than 38,000 per week, and on pace this month to eclipse more than 150,000 illegal migrant apprehensions.

Obviously, one of the main reasons, as you have talked about, for this incredible surge in terms of numbers are our asylum laws, our asylum laws that have put your Department in a bind because your folks can't deliver legal consequences to many of the illegal migrants that are apprehended at the border because they are either minors or they are with family units that have arrived with minors. Because of the legal precedent set forth under the *Flores* settlement, because that precedent under *Flores* says that unaccompanied minors and members of a family unit from noncontiguous countries have to be released in the United States after 20 days to await immigration proceedings.

We talked about that problem, and I realize that one solution to that problem is for Congress to address it. Congress absolutely can do that, absolutely should do that. I am here to tell that I don't think Congress will do that. I say that because some, not all, of my colleagues on the other side like the problem better than they like the solution. They like to stand up before the American people and say that this President and this administration are separating children from their families because of inhumane reasons, rather than honestly telling them that they are doing so because, under the *Flores* settlement, the law requires that you either separate the children or release the entire family in total disregard for immigration laws as Congress passed them. So I am not waiting on a solution from Congress any time soon.

My question for you, Mr. Secretary, is the other possibility is for DHS to address it administratively. Last fall, DHS and HHS proposed new regulations that would effectively terminate the *Flores* settlement agreement and replace it with formal regulations governing the apprehension, processing, care, custody, and release of minor children. What is the status of those regulations?

Mr. McALEENAN. Thank you for asking about that aspect, and we are aggressively working on finalizing the *Flores* rule. What it would do is codify the key elements of that settlement for over 20 years ago in terms of the care of children in Federal custody, but it would also allow us to maintain custody of families together pending their immigration proceedings.

We got over 100,000 comments in that rule that have to be responded to to issue a final rule. That is going to be coming up in the coming weeks and months. It is going to be released and will hopefully allow us to address that part of this issue.

Mr. RATCLIFFE. So what you are telling me, Mr. Secretary, is that notwithstanding Congress not willing to act on this issue, the Department of Homeland Security is attempting to address this crisis at the border through these proposed regulations?

Mr. McALEENAN. That is one of the many dynamic actions we are taking to try to address this crisis, yes.

Mr. RATCLIFFE. Thank you.

Another problem that we need to address or part of what relates to this issue is the low threshold screening standards for migrants to claim asylum. If a migrant successfully asserts credible fear, there is a good chance they are likely going to remain in the United States. So accordingly, what your folks are seeing, I know, are asylum applicants who are very well-coached, well-coached by coyotes and by immigration advocates and others.

My question to you is: Does this budget provide appropriate funding to ensure that DHS is conducting regular fraud risk assessments as it relates to affirmative asylum application process? Generally, can you address what DHS is trying to do to combat asylum fraud and abuse?

Mr. MCALEENAN. Thank you for those two questions, Congressman. You have highlighted one of the key drivers of this crisis. It is the gap between the initial credible fear standard in the asylum proceeding and the ultimate asylum standard adjudicated by an immigration judge.

What we are seeing is 85 to 90 percent of people meeting that initial bar, a possibility of proving an asylum case, and only 10 to 15 percent of Central Americans meeting the actual asylum standard at the end of an immigration proceeding. That allows people to remain in the United States indefinitely, pending an immigration proceeding, and creates a significant hold factor that we are grappling with.

You asked how we are addressing that with fraud prevention. First of all, since I became Acting Secretary, we have deployed over 100 his agents to the border with forensic interview skills to talk to families crossing the border, to identify whether there is a family relationship first and foremost. So these are targeted based on concerns of fraud to begin with. Then to look at whether what they are presenting to border agents is accurate. So that is first and foremost.

Second, we have a fraud detection and National security unit at CIS that we now have directed them to really engage on the asylum piece of this and to make sure we are following through effectively. Ideally, we need to get proceedings completed. That is the central problem we have right now is we are not getting results from immigration courts that can be effectuated because people are not in custody, and that means that ICE is left to go out into communities to pick people up when it could be much more efficiently done as they arrive at the border.

Thank you for asking that question and allowing us to talk more about the problem.

Mr. RATCLIFFE. I appreciate your response, Mr. Secretary.

My time has expired. I yield back.

Chairman THOMPSON. The gentleman's time has expired.

The Chair recognizes Ms. Barragán.

Ms. BARRAGÁN. First, let me start by correcting the record. The separation of children and families didn't happen because it was required. That is not why the President did it. This administration is on record in saying they did this to deter people from coming. So to knowingly separate children and families by prosecuting parents that was going to result in a separation and then mentally harm children, that is despicable. That is why people believe that

what this administration is doing is intentional. It is a belief based on all the lies that Members of Congress have been told, all the lies that have been out in the public and from what has been going out into the public.

Let me start. Mr. Secretary, is there a written policy on the Remain in Mexico policy?

Mr. MCALEENAN. There is a statutory provision. There is——

Ms. BARRAGÁN. Is that policy in writing?

Mr. MCALEENAN. Yes.

Ms. BARRAGÁN. Can you provide us that copy?

Mr. MCALEENAN. I believe we already have provided to Congress, but——

Ms. BARRAGÁN. If you could give it to me, that would be fantastic.

Chairman THOMPSON. Mr. Chairman, just provide the copy of the policy. That is all she is asking you for.

Mr. MCALEENAN. OK. Thank you.

Ms. BARRAGÁN. So, Mr. Secretary, you are familiar with that policy, correct?

Mr. MCALEENAN. I am.

Ms. BARRAGÁN. Under that policy, there are certain groups of people that are not eligible to be returned to Mexico. Is that correct?

Mr. MCALEENAN. That is correct.

Ms. BARRAGÁN. OK. Under that group, unaccompanied minors one of them?

Mr. MCALEENAN. Correct.

Ms. BARRAGÁN. Cubans?

Mr. MCALEENAN. Correct.

Ms. BARRAGÁN. Mexicans?

Mr. MCALEENAN. Correct.

Ms. BARRAGÁN. Vulnerable people?

Mr. MCALEENAN. Correct.

Ms. BARRAGÁN. Sick, elderly?

Mr. MCALEENAN. That is discretionary, but those are categories to be considered.

Ms. BARRAGÁN. LGBT?

Mr. MCALEENAN. Discretionary, but categories to be considered.

Ms. BARRAGÁN. Pregnant women?

Mr. MCALEENAN. Same.

Ms. BARRAGÁN. OK. Let me tell you, Mr. Secretary, I either was lied to at the border or something has changed. When I was at the border in April, I specifically spoke to Officer Blanchard with Border Patrol. He told me he was from the District of Columbia and he told me he wrote this policy. He told me that pregnant women were excluded and not to be sent at the border.

You come in and you talk about how you want to help protect children and they are going through this dangerous journey and keeping them safe. Well, guess what? This administration is putting pregnant women in danger. Do you know how dangerous it is to be sent to Juárez, Mexico? Do you?

Mr. MCALEENAN. I am familiar with Juárez, Mexico. And what the government——

Ms. BARRAGÁN. Let me tell you, Mr. Secretary, as a Member of Congress, this is how dangerous it is. I can't go there without getting permission. That is how dangerous it is. Then if you go to the State Department's website, and we have got a little copy of it here for you, it says, Mexico, violent crime such as homicide, kidnapping, carjacking. Oh, but then if you go to the State Department's specific website on Juárez, it asks you to reconsider your travel.

So it is so dangerous to travel to Juárez that the State Department is telling people to reconsider travel because of violent crime and gang activities are wide-spread. U.S. Government employees, and I quote, "are required to retain prior approval to even go into the downtown area."

But this is where you are sending pregnant women, back into Mexico while they await their asylum. Do you realize that this is happening?

Mr. MCALEENAN. So the migrant protection protocol—

Ms. BARRAGÁN. Do you realize that pregnant women are being sent back to dangerous parts of countries that our own country tells people not to go to, to reconsider their travel? Do you realize that is happening?

Mr. MCALEENAN. So—

Ms. BARRAGÁN. That is a yes or no.

Mr. MCALEENAN. So under the migrant protection protocols, we are asking people to wait in Mexico for their immigration hearing.

Ms. BARRAGÁN. OK. I am going to reclaim my time. Because this is what the American people need to know: A, I was lied to at the border, and this is why there is no credibility with this administration. That is why there is no credibility.

All right. Let me move on for a moment. The 72-hour rule. Are you familiar with the 72-hour rule?

Mr. MCALEENAN. Which one?

Ms. BARRAGÁN. Well, the one that basically says that within 72 hours, children need to be—they need to be processed and turned over.

Mr. MCALEENAN. You are talking about the Trafficking Victims Protection Reauthorization Act rule for unaccompanied children?

Ms. BARRAGÁN. Yes. The 72-hour rule, sir. Do you know how disturbing it is when the largest law enforcement agency in this country is not even following the law?

Mr. MCALEENAN. Well—

Ms. BARRAGÁN. It is disturbing. You are not following the 72-hour rule, as we know, because you just had a 16-year-old child die that was being held for a week. People are being turned away at the border when they present themselves at the ports of entry. How do I know? I have been there. You have agents who are treating people like animals and in person telling them how terrible they are. How do I know? I have been there first-hand. We just saw the text messages, and an agent then hits a migrant. Is this how to be treating people who are escaping violence? Of course not.

So why do people think this administration is intentionally harming children? Well, let's just look at the facts. Look at all the lies. Look at the harm done to children and their mental health. Look at the children that are dying under your watch. You just said, Mr. Secretary, you are proud of your record. That is des-

picable to say. You should not be proud of a record of having 5 children die under your watch.

I yield back.

Chairman THOMPSON. The Chair——

Mr. MCALEENAN. Mr. Chairman, could I respond to any of that last segment?

Chairman THOMPSON. I think the lady made her own statement. The Chair recognizes the gentlelady from Arizona, Mrs. Lesko.

Mrs. LESKO. Thank you, Mr. Chair.

Thank you, Mr. Secretary, for being here. I have 5 minutes, but I will yield you some time to answer, respond to what Ms. Barragán said.

Mr. MCALEENAN. The one important part of what that last segment was that the 72-hour rule, where we try to transfer children to HHS custody within 3 days of their arrival, that is a critical protection for children. That is why this administration has asked for \$3 billion additional for HHS to provide additional bed space so that we can transfer unaccompanied children in a timely fashion. That is a critical part of our supplemental request, and we would appreciate if Congress would consider it.

Mrs. LESKO. Thank you.

Members, you know, I—as you know, I am from a border State, from Arizona. I have been to the border. I have also been to a facility where they shelter unaccompanied children. I know that there is a crisis. Everybody in Arizona, everybody in the Nation, it seems, knows there is a crisis at the border. It is not only to our security, but it is a humanitarian crisis.

When I had the previous Secretary here, she said girls as young as 11 years old were getting pregnancy tests because of what the cartels do and what happens on this long journey. Instead of blaming the United States—when I have seen these Border Patrol Agents help these children, they go out of their way to help children, help families. They are good people.

Wouldn't you say that it is actually the cartels that are encouraging these people to travel thousands of miles to exploit our loose immigration laws and asylum laws and are charging them, what, \$6,000 a child, wouldn't you say we should place the blame on them instead?

Mr. MCALEENAN. I absolutely agree, Congresswoman. It is a \$3 billion industry now for the most violent criminal organizations in our hemisphere. They are exploiting vulnerable people from Central America to our border, and it is unacceptable.

Mrs. LESKO. I agree, Mr. Chairman and Members, it is totally unacceptable. That is why I am so supportive and appreciate everything the President has done to try to mitigate this crisis, not only a security crisis to our Nation, but also a humanitarian crisis for the migrants themselves. I mean, he has tried every which way to do what he can, and I appreciate that so much. That is why I will support this extra funding, because it is very obvious to me that it is needed. It is needed to help these migrants, to help with the security. We also need to pass good immigration laws.

So last year I supported, I co-sponsored and voted for, what I thought was a compromise that we could actually get something done. That was we not only, you know, had a bill that would have

helped secure the border, it would have changed some of our asylum laws, but it also would have given DACA recipients legal status. I just came from Judiciary Committee. They are trying to push through a bill, the Dreamer Act bill. But unfortunately, in that bill, it has no age limits, it allows people that have crimes, it allows people that fraudulently fill out their application to be here. So to me that is a big concern.

I want to switch, because I only have 1 minute 24 seconds left, and that is on a committee hearing we had yesterday, it is a subcommittee hearing, and there was concern by a number of Members that DHS employees were being diverted to the border, on a voluntary basis, to help with the crisis at our border. So I was told by staff today, just so that we correct what happened yesterday with some of the words, is that no TSO officers, no Transportation Security Officers that are on the front line of our airports are actually being diverted or deployed to the border right now.

So I guess my question is would this money that you are asking for actually help so that we don't have to divert people from other security details to the border?

Mr. MCALEENAN. It would. It would help us with our partnership with DOD. It would help us with our law enforcement surge assets that are going to the border, including TSA Federal air marshals that are part of our VIPR teams that are mobile in the first place and that have deployed to the border to help us. But it will also support volunteers from across the Department. Just like we respond to a natural disaster or storm, we have asked for volunteers to come help, help us care for people in our custody. Let our agents get back to our border security mission, help them process more efficiently.

One thing I didn't get to explain on the medical side is that every day, we are taking 65 people to the hospital. That means we have agents and officers on hospital watch duty 24/7 all across that border. About 10 of those a day are admitted to the hospital and receive tremendous medical care from border communities that are stressed by this situation as well.

So any additional support from volunteers will help. Being able to fund that support, will help us manage the crisis. I would still like to focus on addressing it and preventing it, starting in Central America, but, yes, we need help to manage it, and that is the funding request we have made.

Mrs. LESKO. Thank you. I just want to add that I do greatly appreciate the Border Patrol officers, all of our law enforcement officers in DHS. The ones that I have met are really working hard to protect our Nation and to help these migrants. So thank you.

I yield back my time.

Chairman THOMPSON. Thank you.

Mr. Secretary, in your meeting with the Ranking Member and myself yesterday, you told us that TSOs were being deployed to the border.

Mr. MCALEENAN. That is why I added that while they haven't yet been deployed, we have requested volunteers that could include TSOs to help deploy and support the mission on the border.

Chairman THOMPSON. So they will be?

Mr. MCALEENAN. That is a potential, Mr. Chairman, yes.

Chairman THOMPSON. The Chair recognizes the gentleman from New York, Mr. Rose.

Mr. ROSE. Mr. Secretary, thank you to being here today. Thank you for your service to this country across multiple administrations. I do believe in your heart you want to put the country first.

So I want to, first of all, talk about Fentanyl. It is coming from China, and it is killing kids in virtually all of our districts. China is the largest producer of illicit Fentanyl. Recently, there has been a bipartisan bill, bicameral as well, that—called the Fentanyl Sanctions Act proposed to hold China's feet to the fire. Part and parcel of this is the establishment of a Federal commission which will focus on developing a consensus and a strategic approach to address illicit Fentanyl.

A very basic question. Would you be a supporter of Homeland Security participating on the commission and in this whole-of-Government approach to address Fentanyl?

Mr. MCALEENAN. So addressing the scourge of Fentanyl is one of the Department's top priorities on the counter-narcotics side. So I would certainly like to talk with you about that and see how we could be a participant in that effort.

Mr. ROSE. Do you have any other updates you would like to give on your perception of the Fentanyl issue right now?

Mr. MCALEENAN. I have got maybe 3 or 4. I will try to do it quickly because I know you have limited time. First of all, the investments in 2019 that will allow us to transform how we do scanning of trucks and vehicles crossing our Southern Border will make a huge impact in our ability to detect synthetic opioids like Fentanyl and all narcotics. Also, deploying this equipment in mail facilities in express consignment out at the JFK mail facility, for instance, where most of the Fentanyl that is in mail packages and hiding in that huge mass of consumer goods that is coming across from China, we are able to detect that better with that equipment.

We are also working with U.S. Postal Inspection Service and HSI to take targeted shipments that we find with 25 grams of Fentanyl and follow that into where the pill pressers are and the distributors. We have had a lot of successes in this last year, more than doubled our Fentanyl seizures at our mail facility. So it is a tremendous operational priority for us both in interdiction and investigation. The technology investments we received in 2019 are going to make a huge impact.

Mr. ROSE. Thank you. So moving on to counterterrorism. I represent a district in New York City, No. 1 terrorist threat, the country definitely, potentially the world at large. It has been raised already here that you and the administration, the administration with your support, has proposed pretty significant cuts to whether it is UASI, transportation security, so on and so forth—\$587 million in cuts in total for Homeland Security grants to places that need them for counterterror spending, New York City particularly.

You used a term that I found interesting earlier, shared responsibility. Your belief, correct me if I am wrong, is that municipalities and States need to start doing more. Is that correct?

Mr. MCALEENAN. Right.

Mr. ROSE. So are you of the opinion that the NYPD is not doing enough right now, is not shouldering the burden enough right now?

Because these cuts are significant. I believe these cuts—it is not a scalpel, this is a hatchet. I have to figure out what to say to them.

Mr. MCALEENAN. Right.

Mr. ROSE. Being from a bipartisan country-first perspective, what do I tell them?

Mr. MCALEENAN. Well, first of all, you can tell Commissioner O'Neill that he is among our top partners in law enforcement all over the country, and that NYPD is the most effective counterterrorism force in the State and local police level that I am aware of. So please don't suggest that they are not doing enough.

In terms of grant investments at a municipal level, especially our major cities that could be targets, that does have to be a shared Federal, State, and local responsibility.

Mr. ROSE. But monetarily, you are saying that they need to do more, New York City, New York State, other major urban areas that are the primary threats to counterterrorism. You are saying that they are not doing enough right now.

Mr. MCALEENAN. No. I am saying that to sustain funding at the prior grant levels—and remember, we are working within a top-line budget. Nobody wants to make cuts to security programs ever. You are trying to balance across all of your requirements as a Department and as an administration when you submit the budget. So I just want to emphasize that.

Mr. ROSE. Is it a correct reading, then, of the budget to say that you have deemed the border of greater priority than counterterrorism right now?

Mr. MCALEENAN. So I think there are multiple priorities. The border is a significant priority—

Mr. ROSE. You are increasing funding for one.

Mr. MCALEENAN. Correct.

Mr. ROSE. And decreasing funding for the other.

Mr. MCALEENAN. Correct.

Mr. ROSE. The logical conclusion from that is that the border is a greater threat to this country right now than terrorism.

Mr. MCALEENAN. So—not necessarily, but you just noted the Fentanyl risk, right? That is coming across the Southern Border. That is the primary—

Mr. ROSE. The ports of entry, yes.

Mr. MCALEENAN [continuing]. That is having impact on our communities every single day. So it is a balance between all of those efforts.

I think the idea on the grants is that the accumulated investments have gotten us to a place of significant security, especially in major cities. We need to continue to work on it, continue to partner, and hopefully, we can manage through the cuts.

Mr. ROSE. OK. Thank you for your time, Mr. Secretary, again. Thank you for your service.

Chairman THOMPSON. The Chair recognizes the gentleman from Tennessee, Mr. Green.

Mr. GREEN of Tennessee. Thank you, Mr. Chairman, Ranking Member.

Secretary McAleenan, I have got to start off first by telling you thank you for your honorable service to this country. You have been a staunch defender of our freedoms and the rule of law, de-

fending the Constitution as you swore on oath to do so almost 18 years ago.

It is my understanding that you left what promised to be a high-paying civilian-sector job after you felt inspired by the attacks at 9/11 to help CBP set up the office of antiterrorism. Your faithful service is very appreciated. I hope we in Congress can do our job and provide you the funding you need and as requested by your people on the ground to continue your now broader mission.

The Democrats got it flat wrong. While the President sounded the alarm on the crisis at the Southern Border, the left refused, in fact, shut the Government down, stating, and I quote the Speaker, "a manufactured crisis". Now, even the liberal *New York Times* is saying it is a crisis.

Further, the deception of the left seems to know no bounds. The images of children in cages were actually from the Obama administration. Yet multiple activists, legislators today have decried the separation of children when, in fact, this President stopped it.

I am highly concerned about my colleagues on the other side of the aisle using politics to block DHS from doing its job and then securing our Southern Border. From demanding a limit on detention space for illegal aliens to the new supposedly cool thing to do, chanting "abolish ICE, abolish ICE," the Democrat Party has hit a new low on the rule of law.

This country welcomes immigrants who come here legally with open arms, but a country without borders is not a country. The notion that we should not be allowed to preserve our borders' very existence or even remove current barriers, as others have proposed, is ridiculous.

My colleagues claim to be a party that defends Federal workers, but where are they now defending our brave ICE agents? Where are they in helping those who serve us?

Mr. Secretary, one quick question, can you elaborate on the need for more beds for ICE and what the lack of such funding will do in disrupting ICE's mission?

Mr. McALEENAN. So what we are seeing with the flows at the border, the one demographic that we can actually finish the enforcement and immigration law on and determine if someone has a right to stay in the United States, a valid asylum claim where it should repatriated is for single adults.

We do this border surge. We are exceeding ICE capacity for single adult beds, and we have requested more funding for it. Without that funding, we have an impossible choice. We either lose control over our border entirely, because we won't be able to enforce the law, even against single adults, or we are going to have to release people that were picked up in the interior with criminal records, which is also unacceptable.

So we need that funding from Congress to maintain our border security and to support the men and women of ICE. Just to clarify, 75 percent of ICE's intake comes from the border. They are focused on supporting the border security mission first and foremost. But to take away their ability to also pick up criminals in the interior and to keep threats out of our communities would be very unfortunate for our security as a country.

Mr. GREEN of Tennessee. Thank you, Mr. Secretary.

Is there anything else that, based on the testimony that has been given so far, that you would like to take the remaining minute of my time and just share with the committee, your thoughts?

Mr. MCALEENAN. Thank you for that opportunity, Congressman. You know, I thought I would have on this—you raise this challenge of single adults, and I just want to also put it in the context of families. In my first two hearings testifying as Acting Secretary, being responsible for oversight of ICE, what I heard from Members is a lot of concern about ICE officers in communities making arrests. What struck me there is what we are asking to do with families is actually keep them safely together in custody to finish a proceeding but not release them to communities until they have proven a right to stay in the United States.

So what the Members are asking me is saying you can't keep them in custody and you can't come into our communities, even if they have a final order of removal from a judge. Now, that doesn't make sense. In what area of law would we tell our men and women who enforce the law that you can't follow through on a judge's final order of removal? That is our responsibility. So we either have to fix it on the front end or we have to recognize that ICE is going to need to be in communities to maintain the integrity of the system.

Mr. GREEN of Tennessee. Thank you, Mr. Secretary.

Thank you, Chairman.

Chairman THOMPSON. The Chair recognizes the gentleman from Rhode Island, Mr. Langevin, for 5 minutes.

Mr. LANGEVIN. Thank you, Mr. Chairman.

Mr. McAleenan, thank you very much for your testimony and your service.

I would like to start out on a cyber-related question. Last September, then Secretary Nielsen testified before the Senate that, "cyber attacks now exceed the risk of physical attacks." Then in March, she testified before our committee that cybersecurity is one of, if not the highest threats that we face in the homeland.

Do you agree with that assessment, yes or no?

Mr. MCALEENAN. Yes.

Mr. LANGEVIN. So are you aware of how many cybersecurity-related vacancies there are within Cybersecurity and Infrastructure Security Agency?

Mr. MCALEENAN. Not as I sit here today, but I know that hiring effort is a top priority for CISA.

Mr. LANGEVIN. OK. For the record, Mr. Chairman, there are 361 cybersecurity vacancies at CISA as of April 30. That concerns me, obviously.

So, Mr. McAleenan, I have an email here from the deputy director of CISA, Matthew Travis, from Friday, May 17, with the subject line, Call for DHS Volunteer Force Participation, requesting the CISA employees to, "give serious thought to volunteering at the Southern Border."

I ask unanimous consent, Mr. Chairman, that the email be included in the record.

Chairman THOMPSON. Without objection.

[The information follows:]

EMAIL FROM MATTHEW TRAVIS, DEPUTY DIRECTOR, CYBERSECURITY AND
INFRASTRUCTURE SECURITY AGENCY

May 17, 2019.

Call for DHS Volunteer Force Participation

Fellow CISAzens: As you well know, the Nation has been facing a protracted security and humanitarian crisis at our Southern Border. The Department's leadership continues to take necessary steps to secure the border and provide humanitarian aid to those who are attempting to enter the country illegally.

Because of the on-going surge of migrants, our colleagues in Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) are in need of support and assistance from across the Department. I am asking you to consider a short-term deployment to the Southern Border to help out the DHS team down there. If it is within your capacity to deploy, please give serious thought to volunteering. In the past, we have seen similar actions in surging DHS employees to support FEMA's response and recovery efforts following major hurricanes, and this endeavor to support our co-workers across the Department is no different.

Deployments may range from 30 to 45 days, depending on the job type and location, and there are some steps required before you can deploy. I encourage you to check out the DHS Volunteer Force for additional details ranging from the type of assistance needed, registration information, and FAQs.

It is never easy to ask colleagues to take on extra challenges, but as DHS employees, serving the needs of the homeland is the cornerstone of what we do. If you are interested, please discuss this decision with your family and your supervisor. If you remain interested, please contact Andre Davis at [.]

Thanks for your consideration of this important mission. Have a nice weekend and stay hydrated.

Sincerely,

MATTHEW TRAVIS,

Deputy Director, Cybersecurity and Infrastructure Security Agency.

Mr. LANGEVIN. So are you aware of this email, and did you discuss this call for volunteers with anyone at CISA?

Mr. MCALEENAN. So I am not aware of that email in particular, but I am aware of the call for volunteers to help address the border crisis, just as we would do in a natural disaster. Our expectation, though, is that CISA would make risk-based decisions on the types of professionals that they would free up for this kind of mission and balance against their day jobs and their current focus.

Mr. LANGEVIN. So are you aware of anyone on your staff or within your Office of Secretary who discussed this with CISA first?

Mr. MCALEENAN. I would have to ask. I know the acting deputy secretary has personally helped me with this volunteer call to make sure that we are supporting the men and women at the border as much as we can.

Mr. LANGEVIN. So my question is if cybersecurity is such a high threat to the homeland, and if CISA already faces such a staunch shortage of workers, do you think it is appropriate then for them to leave the jobs protecting our Federal networks and critical infrastructure, including our elections, to go to the border?

Mr. MCALEENAN. I would not expect, nor want, the CISA leadership to deploy critical cybersecurity professionals in this role. If they have mission support professionals, attorneys or others who could be spared to support this effort, we would welcome that. But that is for their management and leadership to handle.

Mr. LANGEVIN. I think it is important to have that on the record, because again, given the importance of the mission, the size of the threat, the challenges that we face, the large number of vacancies within CISA, it is not, it seems to me, a Department that can spare critical talent to go anywhere other than doing the job they are doing protecting our Federal networks.

So, Mr. McAleenan, if I could, last week, the President issued an Executive Order entitled “Securing the Information and Communications Technology and Services Supply Chain,” which found that potential supply chain risks constitute an unusual extraordinary threat to the National security, foreign policy, and economy of the United States.

The *New York Times* first reported on a leaked draft of this Executive Order in June 2018. Can you tell us, why did it take nearly a year for the President to sign the Executive Order?

Mr. MCALEENAN. So I am not familiar with the process of developing that, but I know that this has been something that has been focused on by Department of Homeland Security experts, a risk to our supply chain of equipment that could be vulnerable to counter-intelligence exploitation.

Mr. LANGEVIN. Do you believe that the National security of the United States should be subsumed to concerns over trade talks?

Mr. MCALEENAN. I think there is always a balance, but National security is essential, and I think very clearly the focus of this administration.

Mr. LANGEVIN. So portions of the Executive Order have already been put on hold due to unintended consequences of the bans put in place after issuance. Do you anticipate further challenges implementing the Executive Order which requires coordinating efforts across several agencies in the absence of a White House cybersecurity coordinator?

Mr. MCALEENAN. So I will look at that to see if there are any coordination issues. I have not been apprised of any by my team. I think it is been ruled out effectively, and we will continue to monitor it.

Mr. LANGEVIN. I still am very concerned about the fact that the subsequent coordinator’s position, the cybersecurity coordinator was fired and the position was eliminated at a time when this is one of our biggest challenges and we need a coordinator to be fulfilling that role to bring our strategy together. But my time has expired. Thank you for your testimony.

Mr. MCALEENAN. If I could very briefly just note, I have already met with the director of national intelligence, the FBI director, the attorney general on cyber issues that are going to be a critical priority for DHS to be aligned and coordinated across the interagency.

Mr. LANGEVIN. Thank you.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Texas, Mr. Taylor, for 5 minutes.

Mr. TAYLOR. Thank you, Mr. Chairman, Ranking Member.

Mr. Secretary, I just wanted to focus in, if we could for a second, on the humanitarian crisis on the border. I know that there has been a lot of discussion about that. You have mentioned, I think briefly in your testimony, you talk about the role of smugglers and coyotes in sort-of driving that. Would you like to—would you mind expanding on what is driving it in terms of not the migrants themselves but the actors outside of them that are operating, obviously in Mexico, that are creating this problem?

Because clearly, something is happening, something is accelerating the kind of increase, the influx, and that is in turn creating the kind of crisis, I think, that you see a lot of concern for.

Mr. MCALEENAN. What is happening primarily and what we saw really starting early last year was increased awareness that there is a vulnerability in our legal system due to the reinterpretation of the *Flores* settlement, that if an adult arrives with a child, they have a likelihood of staying in the United States. Smugglers have capitalized on that, and they are directly advertising that fact. You don't have to take it from me, even though we have done thousands of interviews of migrants coming across the border with their parents. Why did you come now? Why did you bring your child? Because the smugglers told me now is the time to come. If I have a child with me, they have to release me. That is what we hear repeatedly.

But you can read that in *The Washington Post*, *The Wall Street Journal*, *The New York Times*, all who have gone to the western highlands of Guatemala, *The New Yorker* who have studied this issue, who have seen how smugglers are advertising almost at a retail level in communities.

We have one department in Guatemala that has over 3 percent of their population has come to the United States in 7 months. The effort there to recruit and to fund the smuggling network is just absolutely dramatic. So that is the kind of challenge we are facing. Social media has made that communication easier and faster and even more challenging for law enforcement to deal with.

Mr. TAYLOR. So, I mean, it seems to me that you are saying you need two things, you need some statutory fixes and you need some resources. So you have been asking for the statutory fixes for about 3 years now?

Mr. MCALEENAN. Well, ever since we lost the authority to detain families together, our law enforcement professionals at DHS have recommended that we get a statutory change, yes.

Mr. TAYLOR. OK. Then one thing I didn't do, is there anything you want to respond to that you didn't have a chance to? I mean, is there a thought on your mind? I know I started to ask you questions, but—

Mr. MCALEENAN. Sure. You know, I think this committee and the American people should be aware of the extent of the effort that law enforcement professionals who are not trained for this set of missions are undertaking to try to protect vulnerable people in this cycle. It is an immense effort every single day.

You know, I was just down in the border in El Paso a few weeks ago, and we had a supervisor on detail from Washington State, big hulking guy, looked like an NFL linebacker. There he was on his knee, making baby formula in a bottle to hand to a migrant mother with a child. That is not what he signed up for. He volunteered to come to the Southwest Border, and he is there trying to keep people safe, to care for them in their custody. I think the extent of that effort, how hard our agents are working, how pressed they are, and how much help they need is incredible. They have been dealing with this months on end without relief. I think that has to be recognized.

Mr. TAYLOR. Sure. One statistic that has stuck with me in my short time here in Congress is, you know, that we admit 1 million people with permanent visas every year, 1 million new visas every year, and we admit another 10 million people on temporary visas every year. I think we are the most generous Nation on Earth in terms of immigration. No other country lets that many people in every year. So I think it—it is a point of pride for me that our country is so welcoming to immigrants.

The extent of the people that—so you arrested—you arrested 100,000 last month on the border. How many of those have been released into the United States?

Mr. MCALEENAN. So due to the restrictions on retaining families together, about 60 percent of those crossings are now family units. So almost all of those people have been released in the United States. If they are not from Mexico, if they didn't go through a credible fear-finding and get a negative determination, they are likely to still be in the United States awaiting a court proceeding.

Mr. TAYLOR. So when you are doing your numbers, they are going into the temporary visa—so they are being apprehended and then being released on a temporary visa in the United States. Is that right?

Mr. MCALEENAN. It is not a visa. They are essentially paroled, released on their own recognizance pending a court hearing.

Mr. TAYLOR. OK. So they are not in the 10 million bucket; they are another bucket altogether of people—

Mr. MCALEENAN. Right.

Mr. TAYLOR [continuing]. That are coming into this country illegally.

Thank you, Mr. Chairman. I yield back.

Mr. THOMPSON. Thank you.

The Chair recognizes the gentlelady from New York, Miss Rice, for 5 minutes.

Miss RICE. Thank you, Mr. Chairman. Thank you, Mr. Acting Secretary, for being here today.

We saw an unprecedented attack on our democracy from a foreign adversary in 2016. DHS is responsible for securing our critical infrastructure, including our elections. Do you agree with the intelligence community's 2017 assessment that Russia interfered in our Presidential election to help then-candidate Donald Trump?

Mr. MCALEENAN. I accept the conclusions of our experts in the intelligence community.

Miss RICE. Thank you.

Has President Trump ever discussed the possibility of blocking entry into the U.S. Southern Border with you?

Mr. MCALEENAN. So, first of all, I am not going to comment on conversations I have had or not had with the President of the United States. I think he is pretty clear on record about his priority for securing the Southern Border and the initiatives he has undertaken to do that, very publicly stating them, Oval Office addresses and so forth.

Miss RICE. Mr. McAleenan, the President said it to the American people that he is thinking about shutting down the Southern Border. Did he ever directly speak with you about that? He spoke di-

rectly to the American people. I am sure you can answer that question.

Mr. MCALEENAN. He did speak to the American people about it, and he also updated the American people that he was not looking at that as an immediate option, that he was trying to——

Miss RICE. Did he speak with you about——

Mr. MCALEENAN [continuing]. Collaborate with Mexico to address a shared challenge from transnational criminal organizations——

Miss RICE. Did he speak to you about it?

Mr. MCALEENAN. I am not going to talk about conversations with the President.

Miss RICE. Did he ever mention the possibility of a pardon if you violated the law and were arrested for closing the Southern Border? Yes or no.

Mr. MCALEENAN. As I have noted, I am not going to talk about my conversations with the President. But I have never been asked to do anything illegal. I am on record in the media and elsewhere with that answer.

Miss RICE. Well, have any people who work for you addressed concerns about being asked to do things that they felt were not legal and the personal ramifications they might suffer as a result of that? Have any—has that ever bubbled up to your level?

Mr. MCALEENAN. We would not ask our law enforcement professionals to violate the law. That is not acceptable for my level or for any of our leaders.

Miss RICE. So Mr. Langevin asked you about CISA and your Department's request for volunteers from different agencies throughout the Federal Government. CISA actually was not the only agency at DHS—that DHS or at DHS that you directed to ask for volunteers.

Do you know the number of employees from TSA that have volunteered to go to the Southern Border?

Mr. MCALEENAN. I don't have that in front of me. I know that TSA has been one of our most responsive agencies in helping with crises or natural disasters for years.

Miss RICE. There are some TSA employees who have volunteered?

Mr. MCALEENAN. Yes, certainly.

Miss RICE. OK. How many of them—or have they been trained to work with migrant children and families?

Mr. MCALEENAN. So there will be training for anyone who is engaging directly with migrants on arrival.

Miss RICE. Has there been for volunteers who are already there?

Mr. MCALEENAN. So any volunteer who has been deployed and is already on the border supporting CBP will have received an orientation and training upon arrival.

Miss RICE. So the training is going on?

Mr. MCALEENAN. Yes.

Miss RICE. How many employees from the U.S. Secret Service have volunteered to go to the Southern Border?

Mr. MCALEENAN. I don't have that information as I sit here, but I can get it back to you.

Miss RICE. Have any of them been trained to work with migrant children and families?

Mr. MCALEENAN. Again, that process would happen on arrival with the specific assignment in a sector, depending on the skills and expertise of the person going. Could be an attorney. We are not going to necessarily need to train them for migrant interaction. It could be a commercial driver's license holder that simply will be driving—

Miss RICE. So former Secretary Nielsen declared that cyber attacks now exceed the risk of physical attacks, and the Mueller report made clear the length the Russian Government will go to meddle in our elections.

So CISA, obviously being the agency responsible for the cybersecurity of 99 Federal agencies, I am sure you would agree with me that this is not an ideal use of their time, even if it is on a voluntary basis.

Mr. MCALEENAN. So, again, for critical personnel that are directly involved in protecting the election infrastructure, I do not expect them to be deployed as volunteers in—

Miss RICE. But you don't control who volunteers. If the general call is put out for volunteers, anyone can volunteer, right?

Mr. MCALEENAN. Respectfully, at the Cabinet level, we don't do individual selections of whether volunteers can go. That is my expectation that our—

Miss RICE. But you should be aware of what—

Mr. MCALEENAN [continuing]. Managers are going to handle that—

Miss RICE. You should be aware of what—

Mr. MCALEENAN [continuing]. Appropriate assessment of the risk—

Miss RICE. You should be aware of what your agency is asking people to do. Because they have critical functions that they have to do in their own job description, and you have been given a lot of money from Congress to increase hiring and get people on board so you don't—we don't have to deplete critical agencies at a critical time.

Mr. MCALEENAN. We will not deplete—

Miss RICE. Do you agree with President Trump's decision—

Mr. MCALEENAN [continuing]. Critical mission sets.

Miss RICE. Do you agree with President Trump's decision to cut-off aid to Central America at this critical juncture?

Mr. MCALEENAN. So I am on record in multiple venues talking about the fact that to address this crisis effectively we are going to need to increase security, governance, and address the push factors in Central America. So what my responsibility is, and I think what the President is looking for, are accountable partners in Central America and targeted aid programs that can make a difference, that have a return on investment.

So working with Department of State, when we see those opportunities, I will be presenting those through my chain of command.

Miss RICE. So you mentioned that over the—you are traveling over the weekend?

Mr. MCALEENAN. I am going on Monday, yes.

Miss RICE. OK. I think the purpose of your trip is to discuss border security efforts.

Mr. McALEENAN. I am meeting with ministers from Guatemala, Honduras, and El Salvador in Guatemala City to talk about collaborations on addressing human trafficking and smuggling, yes.

Miss RICE. Right. How has that become more challenging with the President's directive to have—leave \$500 million in aid cut off?

Mr. McALEENAN. Well, it is frozen. It is not cut off. It is frozen. There are existing programs already on-going. There are capabilities that these governments have, and there are partnerships on the ground that are on-going.

Again, the Attorney General was just there last week focusing on the anti-gang partnership that we have with these governments. So I will be talking about ways that we can continue that momentum and the support we need, both from our capacity building, our professionals doing training, and any programs that are critical in that effort.

Miss RICE. It is not just anti-gang. I mean, obviously, if there are very difficult situations in these countries, that is——

Mr. McALEENAN. Sure.

Miss RICE [continuing]. The No. 1 reason people why people are coming here. So——

Mr. McALEENAN. This is an economic migration. It is an opportunity gap in large part.

Miss RICE. OK. So I would just encourage you continue to be vocal about how important it is that we continue our foreign aid to these countries so that we can begin to, you know, address this crisis that we all agree is happening at the border. I thank you for your service.

I yield back the balance of my time. Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentleman from Pennsylvania, Mr. Joyce.

Mr. JOYCE. Thank you for yielding, Mr. Chairman.

I thank you, Secretary McAleenan, for appearing here today in front of us.

Currently, there is a massive crisis at our Southern Border. Just last month's data of attempted illegal crossings represented the staggering 591 percent increase from just 2 years ago. Also driving this crisis is the makeup of the individuals who are crossing the border. Rather than adult males, who we saw in years past, family units and unaccompanied children are spiking, and our laws have not yet caught up.

There is a surge of people who seek—and I emphasize to you, sir, the word “seek”—to be apprehended at the border, brought into custody, claim asylum, and be allowed to gain access to American jobs, health care, and education. This new group of families and unaccompanied minors arriving from Central America present significant new challenges and must be addressed by this committee and the House.

In the past, Democrats and Republicans would work together to address these issues which are critical to the security of our country. Sadly, this has not been the case at all since January when I was sworn in. The complete breakdown of bipartisan work in the

face of the overwhelming scope and severity of this crisis has almost crippled DHS in carrying out your work.

I am further concerned to hear you testify today that you expect the agency to exhaust funding before the end of the fiscal year if Congress does not act on your latest supplemental funding request.

Now, let me discuss my first—my first-hand experience on this issue and how they relate to the question I am about to ask you regarding an immediate measure to address this crisis while Congress works to get its act together.

A few weeks ago at the Southern Border, I witnessed personally the lack of security in areas along the Colorado River that allows the cartels to smuggle drugs into our country, to smuggle drugs into south central and southwestern Pennsylvania where I represent.

During that visit, I also spoke with some CBP agents on the ground, and I was shocked by what was discussed. Currently, CBP is consistently being tasked with providing additional services, such as medical support, transportation services, leaving them unable to carry out their core missions of protecting and patrolling our Southern Border. The shortage of personnel is glaring. One of the suggestions that the members of law enforcements made to me at this visit was that additional National Guard troops could be deployed to the border to help alleviate staffing issues.

Do you believe that the presence of additional National Guard troops would be beneficial in curbing the crisis on the Southern Border? Is it time to address the immediate crisis and send additional National Guard troops to our Southern Border?

Mr. MCALEENAN. Thank you, Congressman, for, first of all, your going to the border and meeting with our men and women, but also for just accurately laying out the scope of the challenge we face.

You know, 6 times last year, in terms of the crossings, the change in demographics, the fact that 40 percent of our Border Patrol agents in top sectors of traffic are now dealing with care, custody, transportation, hospital watch for migrants. They are not on the border. They are not securing it against drugs coming across or against people that are trying to evade capture. That is a huge risk. It is a huge problem and a challenge that we are facing.

So how can we address it? Well, first of all, I went to the border a week-and-a-half ago with the Acting Secretary of Defense to look at this problem together, to talk about expanding our partnership in this area. I can tell you that our National Guard partners have been absolutely essential in helping us maintain our border security mission over the last year and a half.

Under Operation Guardian Support, we have got over 2,000 National Guard troops supporting us every day on that border. Opportunities to expand that footprint, working, for instance, with Governor Abbott in Texas, who has been a tremendous supporter of everything we are doing to help secure that border, is absolutely an option that we are considering, and we have stark needs in that regard.

So I thank you for raising it and highlighting the key role our National Guard partners play in supporting our border security efforts.

Mr. JOYCE. Thank you, Secretary McAleenan. Thank you for what you do for our country.

I yield my remaining time.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Texas, Mr. Green.

Mr. GREEN of Texas. Thank you, Mr. Chairman.

I thank the witness for appearing. I thank the Ranking Member as well for being a part of the hearing.

Mr. Secretary, you have a plan to deal with the area immediately between the United States and Mexico that we call the border, and you have said that there is a humanitarian crisis that we have to address.

My question to you is this: If we do not properly address the humanitarian crisis—assume that we do all of the things at the border that you would like to see done in terms of keeping people out—what will happen to the people who are denied entry?

Mr. MCALEENAN. So—

Mr. GREEN of Texas. What will happen to the people that we deny entry into the United States?

Mr. MCALEENAN. I think this is an important question, Congressman. To make sure we have clarity on what we are talking about, the border security versus the humanitarian aspects, the border security—

Mr. GREEN of Texas. The border security, you have been very clear about how you would like to see that occur. I want to know about the people now who are not able to get into the United States because we have secured the border properly. What will happen to them?

Mr. MCALEENAN. Well, on the humanitarian side, even though we have an effective barrier, we do see people crossing and waiting—

Mr. GREEN of Texas. OK. Let's assume for just a moment now—you are a lawyer. You have a J.D.

Mr. MCALEENAN. I do.

Mr. GREEN of Texas. So let's you and I as lawyers communicate appropriately. Let's now talk about the people—let's not talk about those who get in. Let's talk about those who do not.

Mr. MCALEENAN. Right.

Mr. GREEN of Texas. What will happen to them?

Mr. MCALEENAN. So they have an opportunity to present lawfully at ports of entry. We are doing that in record numbers right now. We are headed toward almost 80,000 asylum seekers presenting at ports of entry this year. So that is first and foremost. We want to create opportunities to seek protections—

Mr. GREEN of Texas. OK. Excuse me. I don't mean to be rude, crude, and unrefined, but I am interested in the people who do not get in.

Here is my contention. You say we have a humanitarian crisis. Let us assume that the crisis is not resolved by virtue of persons having ingress into the country. Let's assume that it is not. If it is not resolved, what is going to happen in Central America? What is going to happen in Mexico? This is our hemisphere. These are our neighbors. Let's focus for just 1 minute, if you would, on what is going to happen to them.

What will happen when they return home?

Mr. MCALEENAN. So, first of all, I agree these are our neighbors. This is our hemisphere, and we need to support and work with partners in Mexico and Central America to address the——

Mr. GREEN of Texas. What do we do? What is going to happen to them, Mr. Secretary?

Mr. MCALEENAN. Right.

Mr. GREEN of Texas. What is going to happen to them? This is our hemisphere.

Mr. MCALEENAN. It is.

Mr. GREEN of Texas. We give Jordan money to deal with Syrian refugees. We, through USAID, spend hundreds of millions of dollars in aid to help persons who are refugees, and we want to make sure those refugees are taken care of.

What will happen in Central America? What is going to happen? This is our neighbor, our neighborhood, if you will.

Mr. MCALEENAN. Right.

Mr. GREEN of Texas. What will happen?

Mr. MCALEENAN. There has been a lot of progress in the last 5 years.

Mr. GREEN of Texas. Thank you for the progress. But let's talk about the lack of progress, and we are sending people back to harm's way. These are people, but for the grace of God, could be you, could be me. We were just lucky to be born in the United States of America, just lucky. So what is going to happen to the people? What is going to happen when they go back to harm's way?

You talk about the children coming here and the fact that they are impregnated and how they are abused along the way. Why are we going to send them back? It is not as though they are going to somehow now become immune to all of the atrocities that they have to suffer and endure as they migrate in this direction. So what will happen to them?

Mr. MCALEENAN. What we want to do is give them a safe opportunity to apply for protections in the United States or——

Mr. GREEN of Texas. Let's assume they don't make it to the United States. This is our hemisphere.

Mr. MCALEENAN. Right. We would like to do that in country. Especially——

Mr. GREEN of Texas. Yes, this is our hemisphere.

Mr. MCALEENAN. Right.

Mr. GREEN of Texas. We have to do more to help people in our hemisphere. I am not saying that we cease and desist with our actions around the world. I am not saying that. But I am saying that we have to have enough heart to understand—and I believe you have said that this is a humanitarian crisis—that if it is a humanitarian crisis, a wall doesn't solve the humanitarian aspect of this crisis. It doesn't. More drones won't solve it. More Border Patrol agents won't solve it.

People are still suffering in these countries that are in our neighborhood, our neighbors, Mr. Secretary. The question becomes, what do we do? This is your watch.

Mr. MCALEENAN. Right.

Mr. GREEN of Texas. Now, you may not have the answer today. You are new on the job. But we will visit again, and we will revisit the question.

I yield back the balance of my time.

Chairman THOMPSON. Thank you.

The Chair yields 5 minutes to the gentleman from Mississippi, Mr. Guest.

Mr. GUEST. Thank you, Mr. Chairman.

Mr. Secretary, first, I would like to thank you, thank the men and women that you serve with, for your professionalism, for your dedication, and your hard work under extremely difficult circumstances.

I would like to apologize to you today for the inaction of the U.S. Congress. The administration, your predecessor, for the last year, has been warning us of the looming crisis that exists along our Southwest Border.

You testified earlier today that we had a security crisis, that we had a humanitarian crisis. It has previously been testified that we have a drug trafficking crisis, a human trafficking crisis, and an immigration crisis. I believe you used the words such as “dire” and “unprecedented” in explaining what we are seeing along the border.

In March, I believe there was 103 illegal immigrants which were apprehended along our border, and then in April, that number rose to 109.

So instead of Congress helping you deal with the crisis, what we have seen today in this very hearing is members—a Member of Congress make allegations that you and the men and women that you serve with have intentionally allowed children to die in your custody. I want to apologize to you and the men and women that you serve with for these untrue remarks.

My question to you, Mr. Secretary, is, do you—as we sit today, do you currently have the personnel that you need to deal with this crisis?

Mr. MCALEENAN. No, we don’t.

Mr. GUEST. As we sit today, do you currently have the facilities that are needed to deal with the crisis along our Southwest Border?

Mr. MCALEENAN. No.

Mr. GUEST. Mr. Secretary, do we currently have the number of immigration judges and court officials to manage the crisis along our border?

Mr. MCALEENAN. No. We have asked for support in all of those areas, Congressman.

Mr. GUEST. Mr. Secretary, let me ask you, have we as a Congress, have we approved a supplemental funding request to address the crisis along our border?

Mr. MCALEENAN. Not yet. We are eager to have that come forward.

Mr. GUEST. Let me ask you another question, Mr. Secretary. Are our current immigration and asylum laws, are they making the crisis along our border better or worse?

Mr. MCALEENAN. Yes. The fundamental driver is the pull factor. It is our immigration laws and the vulnerabilities for families, children, and for exploitation of our asylum process.

Mr. GUEST. So I would assume that your answer is that our current asylum laws are making the crisis worse. Is that correct?

Mr. MCALEENAN. Correct.

Mr. GUEST. So we as Congress, we have not provided you the resources you need for personnel, we have not provided you the facilities that we need, we have not provided you the court officials that you need, and our current—we have not approved a supplemental funding request that you have asked for, and the laws that Congress has in place today are currently making the situation along our Southwest Border worse instead of better. Is that correct?

Mr. MCALEENAN. That is all correct.

Mr. GUEST. Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentlelady from New York, Ms. Clarke.

Ms. CLARKE. Thank you very much, Mr. Chairman.

I thank you, Mr. Secretary, for appearing before us today.

We know that the Department of Homeland Security has a very critical mission, protecting our Nation. It seems, though, however, that we have not quite figured out the right blend and mix with respect to our mission and really focusing and honing in on it.

The Department of Homeland Security is one of the youngest Federal agencies in our Nation, and that there is this level of contention about the mission of this agency is really, really distressing, particularly for a New Yorker who has lived through two terrorist attacks.

We don't just need to defend ourselves against the all-too-real threats of cyber attacks, terrorism, and election interference; we also need to defend our values. I think that part of the struggle here today is a struggle of values.

Before her departure, our committee held a hearing with Secretary Nielsen. She denied the very fact that children were being held in cages, when everyone could see it with their own eyes. These inhumane policies, which are simply the mandate given to an agency by an administration, and the family separation is just one of many that I believe have no place in our society. It is as though we are suffering with amnesia about the fact that so many of—so much of who we are is rooted in immigration, no matter who you are in this country, outside of Native Americans and, of course, those who were brought through chattel slavery.

So I just find it really interesting some of the conversation that we have been having today. When there weren't immigration laws, a whole heap of people came to the United States of America seeking freedom and liberty. They may have come from Europe, they may have come from other parts of the world, but they came and they were embraced—well, you know, some of them struggled, but they became Americans.

Under this administration, unfortunately the mandate for DHS has focused on the attack on immigrants, has been focused on the attack on refugees. While diverting resources and personnel away from what I believe are real threats, the wall we should be building is a firewall to defend our networks against cyber attacks. While we spend a fortune on so-called border surge, we are failing to take basic precautions against another round of Russian interference in our elections, schools and places of worship are under siege, and

foreign and domestic terrorist groups are on the rise. But instead, Donald Trump is focused on what many believe—and I certainly do—is a fake threat of hardworking individuals seeking refugee status here in the United States of America. That is not Homeland Security. That is demagoguery.

So let me just ask a couple of questions. As Acting Secretary, you are now charged with the critical task of defending our elections from foreign interference. You answer to Donald Trump, who denies that Russians interfered in the 2016 election. In an interview on Air Force One in 2017, the President said that Putin said he didn't meddle, and that Donald Trump said, "I really believe when he tells me that, he means it."

Let me ask, does the Donald Trump statement conflict with the findings of DHS and all of our intelligence agencies that Russia did, in fact, interfere in the 2016 election?

Mr. MCALEENAN. I think the intelligence community's findings speak for themselves.

But can I respond to some of your points you raised in your opening?

Ms. CLARKE. I just wanted to get through my line of questioning. I don't have a whole lot of time, but I will yield to you once I get through those questions.

Because my question is, how are we protecting ourselves? How does your budget reflect the need to protect ourselves, particularly from cyber intrusions by nation-states?

Mr. MCALEENAN. So first of all, our 2020 budget request has—for the first time, has a specific line item for protecting elections. That said, we are not waiting for the 2020 budget. We have already launched the Protect 2020 initiative, trying to reach all 8,800 jurisdictions that oversee elections in this country. Maintaining our election integrity from a cyber perspective is a fundamental obligation of this Department. I have had meetings multiple times a week since I have gotten this Chair focused on that issue, and I have a great team that is—

Ms. CLARKE. Well, that is interesting, because there is a—

Mr. MCALEENAN [continuing]. To accomplish it.

Ms. CLARKE. Excuse me, Mr. Secretary. There is a \$40 million cut in the Cybersecurity and Infrastructure Security Agency's budget, and there is a \$238 million cut to the Science and Technology Directorate.

So are you telling me you are going to do more with less? Is that essentially how that works?

Mr. MCALEENAN. Not precisely. The cut that you referenced is because we have completed development of one of the protective systems of the dot-gov network that we don't need additional money to start the development. We are now just in an operations and maintenance phase with that. We do have new funding for personnel and for protecting the election infrastructure.

Ms. CLARKE. OK. You said you had some comments?

Mr. MCALEENAN. Yes. I just don't believe we are failing in our counterterrorism mission or failing in our focus on cybersecurity. We are a multi-mission department. We have to do multiple things at the same time—240,000 strong. With leaders across the Depart-

ment, there are 8 operating components all focused on different aspects of these mission sets.

I can tell you there is no attack on immigrants, there is no attack on refugees. There is a desire to secure our border, and we are processing more asylum seekers than ever before as a Nation, leading the world in the processing of asylum seekers. So I just didn't agree with your characterization.

Ms. CLARKE. Mr. Secretary, I thank you for your comments. I am going to have to yield back. But I am glad you can sit there and say that with a straight face, because there are a whole bunch of folk in America that just don't see it that way.

I yield back, Mr. Chairman.

Chairman THOMPSON. The Chair recognizes the gentleman from Texas for 5 minutes, Mr. McCaul.

Mr. MCCAUL. Thank you. Thank you, Mr. Chairman.

Acting Secretary, thank you for your service, with CBP as well.

I can tell you, when I was Chairman, like the height of the terror threat and the caliphate in 2015–2016, the Department, FBI, intelligence community did a phenomenal job stopping that terror threat, many of which no one will ever know about.

But I actually have a question about the budget, since this is a budget hearing. It has to deal with sort-of creative ways to pay for infrastructure and security at the United States border. Unfortunately, the bill I had with Chairman Goodlatte failed on the floor. It had \$25 billion in advanced appropriations. Now we are looking at what I consider to be a crisis.

Can you tell me how much the budget is for both infrastructure and technology at the border? You may not know that off-hand. If you don't, that is fine.

Mr. MCALEENAN. I referenced a number of those investments in my opening and in my written statement.

Good to see you again. I appreciate your expertise and long-time support of DHS and our missions for security.

We did request \$5 billion for a wall, about \$500 million for additional investments in border security sensors and technology, surveillance capability, for instance, as well as our Air and Marine platforms to have better surveillance capability as well.

Mr. MCCAUL. One of the ideas that we had—and I think it was also discussed by, I think, Mr. Kushner, was we were going to put in that bill something called a border security trust fund.

Mr. MCALEENAN. Right.

Mr. MCCAUL. But instead, we opted for the advanced appropriation. But the idea is—it is pretty simple and to me kind-of makes a lot of sense. A border security trust fund, all the fees that CBP collects at the border, most of those, as I understand it, go to the general treasury and not back to the border. Is that correct?

Mr. MCALEENAN. That is correct.

Mr. MCCAUL. Do you know how much is collected, say, on an annual basis with these fees?

Mr. MCALEENAN. Well, if you combine our trade mission with our merchandise processing mission with our travel mission, we are talking well over \$50 billion, well over the total funding requested for the entire Department of Homeland Security.

Mr. MCCAUL. It seems to me you are collecting this at the border, it should go, not just for the border security, but we have a lot of infrastructure issues. You know, when I go to Laredo, you see the long line of 18-wheelers and processing, and we can have better technology down there and have better infrastructure in place.

Currently, how much of that goes back to the border and how much of it goes to the general treasury?

Mr. MCALEENAN. A very small percentage goes back to the border.

If I could just offer that I think the notion of a sustained fee-based investment in infrastructure, both to catch up with the deficit that we have for ports of entry, for instance, for border security technology, would be a tremendous idea. It was offered last week by the President in rolling out the immigration reform recommendations to Members of Congress.

But that kind of thing should be nonpartisan, to continue our investments without waiting on the vagaries of a budget cycle, to make sure that we can enhance lawful trade and travel, as well as secure against narcotics, provide increased protections all along the border is a very good concept and idea that I would support.

Mr. MCCAUL. I was going to ask if you did support that idea.

I think this, Mr. Chairman, is a bipartisan issue. It is not political. It is just a—using a fee that is captured at the border to go to protect the border and build infrastructure.

It is self-sustaining, as you said.

I get really—you know, we all work—you know, we all don't look forward to the appropriations cycle and the shutdowns of the Government and the cliffhangers and all of the drama holding your Department hostage with this kind of funding. This will happen again, unfortunately, I think in September, if we don't do something creative like this, to solve that problem in a responsible way, without scoring political points or having the shutdown of the Government—which I don't think anyone here supports that idea. I don't think it is ever productive to shut down the Government. Then it just turns into, you know, finger-pointing for political purposes.

So I would suggest, Mr. Chairman, I would very much like to work with you and the Ranking Member on this idea, if you would be amenable to that.

I, sir, want to thank you for, again, your service and your support for this idea as well.

With that, I yield back.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Missouri for 5 minutes, Mr. Cleaver.

Mr. CLEAVER. Thank you, Mr. Chairman.

Mr. Secretary, congratulations, and I wish you the best. I don't think anybody on this committee and probably no rational American would want less. So I wish you the very best.

I am concerned about the—the budget request, the cut, \$270 million. The reason I am concerned about it is that I have become almost obsessed with TSOs and the fact that they are woefully, and in my estimation, dangerously underpaid, as I mentioned yesterday here at a hearing. They are the only thing that stands between

most of us who fly airplanes every week and terror, and we treat them like they are insignificant.

So I would—one of the requests that I have of you is that you would become the liberator, the agent of change for the TSA program. We have got to do something about the pay. I hope that, you know, when your—when the sun sets on your time in this position, that you can look back, I hope—I really hope, and say, I was able to do something with the TSO pay.

Is that possible? Can you accept that?

Mr. MCALEENAN. So, first of all, thank you for your comments on how important our Transportation Security Officers are to our Nation's aviation security and infrastructure. They are valued professionals. I do believe that as a Department, across the board, we need to do more to take care of the men and women who protect us every day, with retention incentives, with support for veterans programs, for suicide prevention, for child care, really across the board.

I am going to be looking at best practices at DHS from each agency and seeing what I can do to make them the highest common denominator. If there are pay issues that are not commensurate with the challenge our people face, I will be happy to assess that and come back and work with this committee and others to see what we can do.

Mr. CLEAVER. I think you are going to find that it is awful and it is ugly and makes us look bad.

The other issue is there are reports that suggest white nationalism is a rising threat around—around the world, actually, and also here at home. I hate trying to get into politics, but I have to on this one because I can't see another way around it. But the President said that he did not see that as an issue. When asked the question, said, "I don't really," asking if he thought this was a threat.

Three years ago, my Congressional office in Kansas City was firebombed twice. The gentleman has been apprehended. He is now serving 10 years in Leavenworth. My father keeps asking, What is going to happen when he gets out?

This is a personal issue, and I don't like to bring my personal business out here. But the point is—and I have to give—the FBI were amazing in catching the guy.

But if the President doesn't see this as a threat, and I personally know what happened to me, and I have seen and read about on the news what has happened around the country, and I am not sure that—I am absolutely certain that there are not good people on both sides.

So I would like to know your assessment as the Homeland Security Secretary.

Mr. MCALEENAN. So our responsibility, Congressman, is to address targeted violence, regardless of the motivation or ideology. I am concerned about white supremacists/extremists and the growing attacks, especially that we have seen on houses of worship. That is why I responded right away to the Chairman and Ranking Member's challenge to ask the Homeland Security Advisory Council to set up a subcommittee to protect faith-based organizations and

houses of worship, and they are going to bring a report back that tells us how we can improve our prevention efforts in this regard.

I absolutely agree it is a problem, and we need to work to address it, not only at DHS but with our investigative partners at the FBI and with State and local.

Mr. CLEAVER. Thank you. Thank you, Mr. Secretary.

Thank you, Mr. Chairman.

Chairman THOMPSON. I thank the gentleman from Missouri.

I want to thank the witnesses for their valuable testimony and the Members for their questions.

I would like unanimous consent to enter into the record a statement from the National Treasury Employees Union.

Without objection.

[The information follows:]

STATEMENT OF ANTHONY M. REARDON, NATIONAL PRESIDENT, NATIONAL TREASURY
EMPLOYEES UNION

MAY 22, 2019

Chairman Thompson, Ranking Member Rogers, and distinguished Members of the subcommittee, thank you for the opportunity to submit this statement for the record. As president of the National Treasury Employees Union (NTEU), I have the honor of leading a union that represents over 27,000 Customs and Border Protection (CBP) Officers, Agriculture Specialists, and Trade Enforcement Personnel stationed at 328 land, sea, and air ports of entry across the United States and 16 PreClearance stations currently in Ireland, the Caribbean, Canada, and United Arab Emirates airports. CBP's Office of Field Operations (OFO) pursues a dual mission of safeguarding American ports, by protecting the public from dangerous people and materials, while enhancing the Nation's global and economic competitiveness by enabling legitimate trade and travel. CBP OFO employees are responsible for border security, including anti-terrorism, immigration, anti-smuggling, trade compliance, and agriculture protection at U.S. ports of entry.

In addition to CBP's trade and travel security, processing and facilitation mission, CBP OFO employees at the ports of entry are the second-largest source of revenue collection for the U.S. Government. In 2018, CBP processed more than \$2.8 trillion in imports and collected approximately \$44 billion in duties, taxes, and other fees. According to CBP on-board staffing data, there is a shortage of approximately 3,700 CBP Officers at the ports of entry. Yet the administration has not included sufficient funding in its fiscal year 2020 budget request to address this vast CBP Officer staffing gap.

OFO is the largest component of CBP responsible for border security—including anti-terrorism, immigration, anti-smuggling, trade compliance, and agriculture protection—while simultaneously facilitating lawful trade and travel at U.S. ports of entry that are critical to our Nation's economy. Yet, the President's fiscal year 2020 budget requests only \$28 million to fund the hiring of 171 new Customs and Border Protection Officers, 91 Mission and Operational Support positions, and 5 Agriculture Specialists. These 267 new OFO employees in the President's fiscal year 2020 budget request are designated to go to San Luis, AZ, Blaine, Cincinnati, and Boston. CBP's limited OFO personnel request is to test a "Proof of Concept" that if the OFO allocations as determined by its own Workload Staffing Model (WSM) at these 4 port of entry are fully met, then these ports should function without excessive wait times, overtime or other economic consequences of short staffing.

While I am pleased that the administration included some new funding for the hiring of critically-needed CBP Officers, Agriculture Specialists, and support staff, the fiscal year 2020 budget request for this "Proof of Concept" experiment does not by any means meet this need. In the post shut-down negotiations earlier this year, the House Majority opened with a proposal to fund 1,000 CBP Officer new hires. The final fiscal year 2019 agreement provided \$58.7 million in funding to hire 600 new CBP Officers.

According to CBP's most recent analytic workload staffing models—fiscal year 2018 CBP Officer WSM, the fiscal year 2018 Agriculture Resource Allocation Model (AgRAM), and the fiscal year 2017 Resource Optimization Model (ROM) for Trade Positions—an additional 2,516 CBP Officers, 721 Agriculture Specialists, and at

least 150 trade operations specialists need to be funded and hired in order to meet current staffing needs at the U.S. ports of entry.

CBP employees at the ports of entry are not only the first line of defense for illegal trade and travel enforcement, but their role of facilitating legal trade and travel is a significant economic driver for private-sector jobs and economic growth. According to CBP, for every 1,000 CBP Officers hired there is an increase in the Gross Domestic Product (GDP) of \$2 billion; \$642 million in opportunity costs are saved (the amount of time that a traveler could be using for purposes other than waiting in line, such as working or enjoying leisure activities); and 33,148 annual jobs are added. If CBP filled the 3,700 needed new positions, the impact could be as high as a \$7.4 billion increase in GDP; a \$2.38 billion savings in opportunity costs; and the creation of 122,650 new private-sector jobs.

In addition, according to the Joint Economic Committee (JEC), the volume of commerce crossing our borders has more than tripled in the past 25 years. Long wait times lead to delays and travel time uncertainty, which can increase supply chain and transportation costs. According to the Department of Commerce, border delays result in losses to output, wages, jobs, and tax revenue due to decreases in spending by companies, suppliers, and consumers. JEC research finds border delays cost the U.S. economy between \$90 million and \$5.8 billion each year.

For these reasons, NTEU asks committee Members to request from the House Appropriations Committee up to \$120 million in fiscal year 2020 direct appropriations for the hiring of 600 CBP Officers, 100 CBP Agriculture Specialists, and additional needed non-uniformed Trade Operations and support staff.

CBP OFFICER OVERTIME

Due to the on-going current staffing shortage of 3,700 CBP Officers, CBP Officers Nation-wide are working excessive overtime to maintain basic port staffing. Currently, CBP Officer overtime pay is funded 100 percent through user fees and is statutorily capped at \$45,000 per year. All CBP Officers are aware that overtime assignments are an aspect of their jobs.

However, long periods of overtime hours can severely disrupt an officer's family life, morale, and ultimately their job performance protecting our Nation.

Because of the on-going staffing shortages, CBP Officers can be required to regularly work overtime which results in individual Officers hitting the overtime cap very early in the fiscal year. This leaves no overtime funding available for peak season travel, resulting in critical staffing shortages in the third and fourth quarter of the fiscal year that usually coincide with holiday travel at the ports.

At many ports, CBP has granted overtime exemptions to over one-half of the workforce to allow managers to assign overtime to Officers that have already reached the statutory overtime cap, but cap waivers only force CBP Officers already working long daily shifts to continue working these shifts for more days. Officers are required to come in hours before their regular shifts, to stay an indeterminate number of hours after their shifts (on the same day) and are compelled to come in for more overtime hours on their regular days off as well. Both involuntary overtime—resulting in 12- to 16-hour shifts, day after day, for months on end—and involuntary work assignments far from home, significantly disrupt CBP Officers' family life and erode morale. As NTEU has repeatedly stated, this is not a long-term solution for staffing shortages at the ports and has gone on for far too long.

TEMPORARY DUTY ASSIGNMENTS AT SOUTHWEST LAND PORTS OF ENTRY

Due to CBP's on-going staffing shortage, since 2015, CBP has been diverting hundreds of CBP Officers from other air, sea, and land ports to severely short-staffed Southwest land ports for 90-day Temporary Duty Assignments (TDYs).

CBP recently announced a new round of CBP Officer TDYs to be voluntarily reassigned to Border Patrol sectors across the Southwest Border. NTEU has learned that in June and July CBP will be deploying a total of 731 CBP Officers to designated Border Patrol Sectors to replace CBP Officers deployed in April and have reached the end of their 60-day TDY deployment. In this latest deployment, 245 Officers will be sent from the SW Border Field Offices with the remaining 486 Officers coming from the other Field Offices.

This redeployment is making the existing problems at the ports even worse and resulting in hours-long delays, since most of the CBP Officers being redeployed are from the Nation's most short-staffed land ports on our Southern Border.

If these reassignments continue, they could lead to even more extensive staffing shortages at other critical land ports of entry on the Southern and Northern Borders, and at international air and seaports. Reduced personnel numbers at other

ports threatens CBP's capacity to carry out critical immigration, trade, and health-related inspections and to interdict illegal drug shipments.

According to a newly-released study, "The Economic Costs of the U.S.-Mexico Slowdown," this most recent TDY has resulted in a significant slowdown at the U.S.-Mexico border resulting in substantial economic harms. Millions of trucks cross the border every year, and delays at the border cause logistical problems. The current slowing on the U.S.-Mexico border is reducing efficiency and costing the U.S. economy billions in output and hundreds of thousands of jobs.

If the diversion of CBP Officers from the Southwest Border international land ports continues, the State of Texas alone could lose more than \$32 billion in gross domestic product in just over 3 months. If there is a one-third reduction in trade between the United States and Mexico over a 3-month period, the cost to the U.S. economy would be over \$69 billion in gross product and 620,236 job-years (when multiplier effects are considered). Almost half of these losses occur in Texas."

NTEU urges Congress to require CBP to allocate personnel and resources appropriately to ensure timely processing of people at ports of entry and better manage the changing demographic flows at our Southern Border. To end all of these TDYs, CBP must fill existing CBP Officer vacancies and fund the hiring of the additional CBP Officers called for in CBP's own WSM. Without addressing the 3,700 CBP Officer shortfall, allocating adequate staffing at all ports will remain a challenge.

OPIOID INTERDICTION

CBP OFO is the premier component at the Department of Homeland Security (DHS) tasked with stemming the Nation's opioid epidemic—a crisis that is getting worse. According to a May 2018 report released by the Senate Homeland Security and Governmental Affairs Committee Minority titled *Combating the Opioid Epidemic: Intercepting Illicit Opioids at Ports of Entry*, "between 2013 and 2017, approximately 25,405 pounds, or 88 percent of all opioids seized by CBP, were seized at ports of entry. The amount of fentanyl seized at the ports of entry increased by 159 percent from 459 pounds in 2016 to 1,189 pounds in 2017."

On January 26, 2019, CBP OFO made their biggest fentanyl seizure ever, capturing nearly 254 pounds of the deadly synthetic opioid at the Nogales port of entry. According to the Drug Enforcement Administration, just 2 milligrams of fentanyl is considered a lethal dose. From the January 26 seizure alone, it is estimated that CBP Officers seized enough fentanyl to kill 57 million people. That's more than the combined population of the States of Illinois, New York, and Pennsylvania. The street value for the fentanyl was over \$102 million. CBP Officers also seized an additional 2.2 pounds of fentanyl pills and a large cache of methamphetamine.

The majority of fentanyl is manufactured in other countries such as China, and is smuggled primarily through the ports of entry along the Southwest Border and through international mail and Private Express Carrier Facilities, e.g. FedEx and UPS. Over the past 5 years, CBP has seen a nearly 50 percent increase in express consignment shipments from 76 million to 110 million express bills and a 200 percent increase in international mail shipments from approximately 150 million to more than 500 million. Yet, according to CBP, over the last 3 years, there were only 181 CBP employees assigned to the 5 Postal Service International Service Centers and 208 CBP employees assigned to the Private Express Carrier Facilities. NTEU's funding request would allow for increases in CBP OFO staffing at these facilities.

Noting the positive impact of hiring additional CBP Officers, it is troubling that the President's 2017 Border Security Executive Order and his subsequent budget requests did not ask for one additional CBP officer new hire. In 2017, CBP Officers at the ports of entry recorded over 216,370 apprehensions and seized over 444,000 pounds of illegal drugs, and over \$96 million in illicit currency, while processing over 390 million travelers and \$2.2 trillion in imports through the ports. Imagine what they could do with adequate staffing and resources.

AGRICULTURE SPECIALIST STAFFING

CBP employees also perform critically important agriculture inspections to prevent the entry of animal and plant pests or diseases at ports of entry. Agricultural Specialists provide a critical role in both trade and travel safety and prevent the introduction of harmful exotic plant pests and foreign animal diseases, and potential ag/bio-terrorism into the United States. All ports of entry are currently understaffed relative to mission goals and workload requirements of agricultural specialists. For years, NTEU has championed the CBP Agriculture Specialists' Agriculture Quality Inspection (AQI) mission within the agency and fought for increased staffing to fulfill that mission. The U.S. agriculture sector is a crucial component of the American economy, generating over \$1 trillion in annual economic activity. According to the

U.S. Department of Agriculture, foreign pests and diseases cost the American economy tens of billions of dollars annually.

Because of CBP's key mission to protect the Nation's agriculture from pests and disease, NTEU urges the committee to authorize the hiring of these 721 CBP Agriculture Specialists identified as determined by CBP's AgRAM to address this critical staffing shortage that threatens the U.S. agriculture sector.

CBP TRADE OPERATIONS STAFFING

CBP has a dual mission of safeguarding our Nation's borders and ports and regulating and facilitating international trade. CBP employees at the ports of entry are critical in protecting our Nation's economic growth and security. For every dollar invested in CBP trade personnel, we return \$87 to the U.S. economy, either through lowering the costs of trade, ensuring a level playing field for domestic industry or by protecting innovative intellectual property. Since CBP was established in March 2003, however, there has been no increase in non-uniformed CBP trade enforcement and compliance personnel. Additionally, CBP trade operations staffing has fallen below the statutory floor set forth in the Homeland Security Act of 2002 and stipulated in the fiscal year 2017 CBP Resource Optimization Model for Trade Positions. NTEU strongly supports CBP funding 140 new hires at the CBP Office of Trade through direct appropriations to support TFTEA implementation.

CBP FUNDING SOURCES

CBP collects Customs User Fees (CUFs), including those under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), to recover certain costs incurred for processing air and sea passengers and various private and commercial land, sea, air, and rail carriers and shipments. The source of these user fees are commercial vessels, commercial vehicles, rail cars, private aircraft, private vessels, air passengers, sea passengers, cruise vessel passengers, dutiable mail, customs brokers, and barge/bulk carriers.

COBRA fees are deposited into the Customs User Fee Account and are designated by statute to pay for services provided to the user, such as 100 percent of inspectional overtime for passenger and commercial vehicle inspection during overtime shift hours. Of the 24,576 CBP Officers currently funded, Customs User Fees (CUFs) fund 3,825 full-time equivalent (FTEs) CBP Officers. Further, Immigration Inspection User Fees (IUF) fund 4,179 CBPO FTEs. CUF and IUF user fees fund 8,004 CBPO FTEs or one-third of the entire CBP workforce at the ports of entry.

NTEU strongly opposes the diversion of CUFs. Any increases to the CUF Account should be properly used for much-needed CBP staffing and not diverted to unrelated projects. Unfortunately, while section 52202 of the FAST ACT indexed CUFs to inflation, it diverted this funding from CBP to pay for unrelated infrastructure projects. Indexing COBRA CUFs to inflation would have raised \$1.4 billion over 10 years—a potential \$140 million per year funding stream to help pay for the hiring of additional CBP Officers to perform CBP's border security, law enforcement, and trade and travel facilitation missions. Diverting these funds has cost CBP funding to hire over 900 new CBP Officers per year since the FAST Act went into effect. These new hires would have significantly alleviated the current CBP Officer staffing shortage.

In order to find alternative sources of funding to address serious staffing shortages, CBP received authorization for and has entered into Reimbursable Service Agreements (RSAs) with the private sector, as well as with State and local governmental entities. These stakeholders, who are already paying CUFs and IUFs for CBP OFO employee positions and overtime, reimburse CBP for additional inspection services, including overtime pay and the hiring of new CBP Officer and Agriculture Specialist personnel that in the past have been paid for entirely by user fees or appropriated funding. According to CBP, since the program began in 2013, CBP has entered into agreements with over 149 stakeholders covering 111 U.S. ports of entry, providing more than 467,000 additional processing hours for incoming commercial and cargo traffic.

NTEU believes that the RSA program is a Band-Aid approach and cannot replace the need for Congress to either appropriate new funding or authorize an increase in customs and immigration user fees to adequately address CBP staffing needs at the ports.

RSAs simply cannot replace the need for an increase in CBP appropriated or user fee funding—and make CBP a “pay to play” agency. NTEU also remains concerned with CBP's new PreClearance expansion program that also relies heavily on “pay to play.” Further, NTEU believes that the use of RSAs to fund CBP staffing short-

ages raises significant equity issues between larger and/or wealthier ports and smaller ports.

NTEU RECOMMENDATIONS

To address CBP's workforce challenges, it is clearly in the Nation's economic and security interest for Congress to authorize and fund an increase in the number of CBP Officers, CBP Agriculture Specialists, and other CBP employees.

In order to achieve the long-term goal of securing the proper staffing at CBP and end disruptive TDYs and excessive involuntary overtime shifts, NTEU recommends that Congress take the following actions:

- Support funding for 600 new CBP Officers in fiscal year 2020 DHS Appropriations;
- Support funding for 721 new CBP Agriculture Specialists hires; and
- Fully fund and utilize recruitment, relocation, and retention incentives.

Congress should also redirect the increase in customs user fees in the FAST Act from offsetting transportation spending to its original purpose of providing funding for CBP Officer staffing and overtime, and oppose any legislation to divert additional fees collected to other uses or projects.

Shutdowns, pay freezes, and proposed cuts to benefits, rights, and protections do nothing to help with recruitment and retention of CBP Officers. The employees I represent are frustrated and their morale is indeed low. These employees work hard and care deeply about their jobs and their country. These men and women are deserving of more staffing and resources to perform their jobs better and more efficiently.

NTEU is not alone in seeking increased funding to hire new CBP Officers at the ports. A diverse group of business, industry, and union leaders have joined forces in support of legislation and funding to hire more Customs and Border Protection personnel and alleviate staffing shortages at the Nation's ports of entry. The coalition—which includes leading voices from various shipping, tourism, travel, trade, law enforcement, and employee groups—sent the attached letter urging House appropriators to provide the funding necessary to hire at least 600 new CBP officers annually (see Exhibit A.)

Thank you for the opportunity to submit NTEU's statement for the record.

Mr. ROGERS. Mr. Chairman——

Chairman THOMPSON. Ranking Member.

Mr. ROGERS. I mentioned earlier trying to get an amendment on the President's budget adopted, and it was denied. I would like to put a copy of that in the record, without objection.

Chairman THOMPSON. Without objection.

[The information follows:]

LETTER FROM RUSSELL T. VOUGHT TO HONORABLE MICHAEL R. PENCE

May 1, 2019.

The Honorable MICHAEL R. PENCE,
President of the Senate, U.S. Senate, Washington, DC 20510.

DEAR MR. PRESIDENT: We are continuing to experience a humanitarian and security crisis at the southern border of the United States. Apprehensions are expected to surpass one million by the end of the year, more than doubling those compared to last year. The number of large-scale groups of family units and unaccompanied alien children (UAC), primarily from El Salvador, Guatemala, and Honduras, seeking to enter the country and claim asylum has increased dramatically.

The situation becomes more dire each day. The migration flow and the resulting humanitarian crisis is rapidly overwhelming the ability of the Federal Government to respond. Only halfway through this fiscal year (FY), the U.S. Border Patrol has apprehended more than 360,000 migrants. This is over 187,000 more than during the same period in fiscal year 2018, and just 35,500 below the number apprehended for all of fiscal year 2018.

The demographics of migrants arriving at our border has changed dramatically, from single adult males to family units and UAC. This year, over 52 percent of apprehensions have been migrant families. The number of UAC referred to the Department of Health and Human Services (HHS) has increased by almost 50 percent over last year. This shift in demographics has stressed a system mainly designed for single adults. These increased flows are exacerbated by Mexico's inability and unwillingness to curb the illegal migration flow through its own Southern Border.

In addition, the speed with which illegal migrants transited through Mexico to reach the United States continues to challenge America's best efforts to keep pace with the overwhelming numbers of migrants arriving at the Southern Border. The historic influx of families and UAC is challenging the capacity of the Federal Government to shelter, care for and protect those we encounter, and presents child welfare concerns beyond the treacherous journey that these vulnerable migrants undertake to reach our Southern Border.

In February, U.S. Customs and Border Protection (CBP) encountered more than 76,000 illegal border crossers and inadmissible aliens, and in March that number exceeded 100,000—the highest monthly level in more than a decade. Despite heroic efforts, the United States Government's ability to humanely and compassionately care for vulnerable populations and to expeditiously process and detain those who should not be admitted is stressed to the breaking point. Alarming numbers of UAC and families are crowded into U.S. Border Patrol stations that were never intended to be long-term shelters. U.S. Border Patrol personnel no longer have the ability to identify, process, and transport all of those apprehended at the border to safe and secure facilities designed to house them, but have instead been increasingly pressed into providing critical humanitarian, medical, and transportation services for this population.

Additionally, immediate emergency action is required to ensure that the Federal Government can provide the infrastructure and personnel required to safely, securely, and humanely process and care for this at-risk migrant population. At the direction of the President, and under available authorities, numerous Federal agencies are coordinating and contributing resources and personnel in response to the overwhelming humanitarian crisis at the United States Southern Border. As the situation continues to unfold and escalate, the administration believes additional Federal resources are necessary to sustain critical and life-safety missions.

At this time, the administration requests an appropriation of \$4.5 billion in emergency funding to respond to the humanitarian and security crisis at the Southern Border of the United States. This amount includes \$3.3 billion for humanitarian assistance, \$1.1 billion for border operations, and \$178 million for mission support.

The humanitarian assistance request includes \$2.8 billion for HHS to ensure that its Office of Refugee Resettlement (ORR) is able to provide all UAC with critical child welfare services and high-quality shelter care, in accordance with programmatic and legal requirements. The funding will enable ORR to increase shelter capacity to approximately 23,600 total beds in order to accommodate the high number of UAC anticipated to be referred to ORR through the remainder of the fiscal year. Given that current referral trends are likely to continue into next fiscal year, this amount also provides ORR the ability to maintain a high bed capacity through December.

There is a significant likelihood that the UAC program will exhaust all of its resources in June. If Congress fails to provide HHS this additional funding, the expected continuation of current trends may require HHS to divert significant resources from other programs that serve vulnerable populations—such as refugees and victims of trafficking and torture. In addition, UAC services that are not necessary for protection of human life, such as education and legal services, as well as recreational activities, would likely need to be canceled or scaled back. Should reallocated funds be exhausted, it is highly unlikely that HHS would be able to acquire the additional shelter capacity it would likely need to continue to accept UAC referrals from DHS in a timely manner, meaning that children would likely stay in DHS facilities for longer than 72 hours following a determination that the child is a UAC. In the worst-case scenario, thousands of children might remain for lengthy periods of time in facilities that were never intended to be long-term shelters, rather than being expeditiously transferred to HHS custody, where they would receive case management and other services that address their unique needs.

The request also includes \$1.1 billion for the Department of Homeland Security. It would provide \$391 million for humanitarian assistance, including for temporary, semi-permanent, and permanent migrant processing facilities at the Southern Border where families and UAC will receive timely and appropriate medical attention, food, and temporary shelter before being transferred to other residential locations; \$530 million for border operations, including surged personnel expenses, as well as increased transportation and detainee housing and processing capacity; and \$178 million for operations and support costs, including pay and retention incentives for critical operational personnel, and for information technology (IT) support and upgrades to improve the performance of and help alleviate stress on overtaxed IT systems.

The request also includes \$377 million for the Department of Defense, National Guard for Operation Guardian Support and for active components to provide

logistical and administrative, aerial surveillance and other border-related intelligence support to CBP. Finally, the amount includes \$155 million for Federal Prisoner Detention at the Department of Justice to accommodate significant increases in detained populations, including criminal aliens.

The additional resources hereby requested will enable Federal agencies to address the immediate humanitarian and security crisis at the Southern Border of the United States. Because the need for this funding arises from an unprecedented rise in the numbers and composition of the migrant population, consisting largely of families and UAC, these resources should be provided as emergency funding.

Further, during his April visit to the our Southern Border, the President emphasized that he is anxious to work with the Congress to close loopholes in the United States immigration system and secure meaningful asylum reform, without which border security will deteriorate and immigration enforcement costs will soar. Overall, President Trump is committed to working with the Congress to enact legislation that will give our Nation a secure, coherent, rational, and merit-based immigration system.

Thank you for your consideration of these funding needs. I urge the Congress to take swift action to provide the additional funding requested to address the humanitarian and border security crisis at the United States Southern Border; I also urge the Congress to complete its work to provide supplemental funding for disaster recovery to get those affected regions and military installations the support they need to rebuild. I stand ready to work with you to achieve these goals.

Sincerely,

RUSSELL T. VOUGHT,
Acting Director.

Identical Letter Sent to: The Honorable Michael R. Pence, The Honorable Nancy Pelosi, The Honorable Mitch McConnell, The Honorable Charles E. Schumer, The Honorable Kevin McCarthy, The Honorable Richard C. Shelby, The Honorable Nita Lowey, The Honorable Patrick J. Leahy, The Honorable Kay Granger.

Mr. ROGERS. Thank you.

Chairman THOMPSON. The other thing I would like to indicate is, on the *Flores* decision, it was about prolonged detention of children had proven to be harmful to their health. The judge looked at that as the overriding factor as to why they shorten the time for detention. So I think the court looked at it from that perspective rather than a punitive decision on the Department, because we are concerned about the care of children who are in detention.

The Members of the committee may have additional questions for the witness, and we ask that you respond expeditiously in writing to those questions.

Without objection, the committee record shall be kept open for 10 days.

Hearing no further business, the committee stands adjourned.

[Whereupon, at 12:09 p.m., the committee was adjourned.]

A P P E N D I X

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR KEVIN K. MCALEENAN

Question 1a. Last month, President Trump tweeted that Congress has given Puerto Rico \$91 billion for its recovery from Hurricane Maria. Is that figure concrete?

Question 1b. If not, what efforts, if any, have you made to correct the President's understanding?

Answer. Response was not received at the time of publication.

QUESTION FROM HONORABLE SHEILA JACKSON LEE FOR KEVIN K. MCALEENAN

Question. You testified that DHS has internal task forces in place to review the deaths of children in CBP custody.

What are the names and titles of the individuals who serve on these task forces? Please provide a copy of any recommendations made by these task forces and the status of their implementation.

Answer. Response was not received at the time of publication.

QUESTION FROM HONORABLE NANETTE DIAZ BARRAGÁN FOR KEVIN K. MCALEENAN

Question. Please provide the committee with a copy of any written policies regarding the Migrant Protection Protocols (MPP).

Answer. Response was not received at the time of publication.

QUESTIONS FROM HONORABLE KATHLEEN M. RICE FOR KEVIN K. MCALEENAN

Question 1a. To date, how many DHS employees have voluntarily deployed to the U.S.-Mexico border in support of CBP? Please provide a breakdown by component.

Answer. Response was not received at the time of publication.

Question 1b. How many of these employees have been trained to work with migrant children and families? Please provide a copy of the lesson plan and any training documents issued to the employees.

Answer. Response was not received at the time of publication.

QUESTIONS FROM HONORABLE CLAY HIGGINS FOR KEVIN K. MCALEENAN

Question 1a. Secretary McAleenan, you testified that DHS has uncovered 3,500 cases of adults posing as parents or legal guardians of children who were in fact, not. We have been briefed in the past that these discoveries are usually a result of interviews conducted by trained CBP Agents. Others have been the result of investigations into fraudulent documents such as birth certificates. It is clear that CBP has only a limited ability to determine if people are legitimately parents or legal guardians of the children they are bringing to the Southwest Border.

Can you speak to the challenges CBP Agents experience when attempting to determine whether those presenting as families are in fact families and that the children are not victims of human smuggling or trafficking? How will the use of DNA testing help CBP protect these children from harm at the hands of traffickers and smugglers?

Answer. Response was not received at the time of publication.

Question 1b. Would the deployment of such DNA testing technology at all Border Patrol facilities act as a deterrent and be a distinguishing factor in the determination of whether an adult attempting unauthorized entry into the United States is in fact the parent of a child or children they are claiming to be?

Answer. Response was not received at the time of publication.

Question 1c. Are there any additional authorities needed to help DHS address this issue?

Answer. Response was not received at the time of publication.

Question 1d. What other tools or resources does DHS need to address the fraudulent family concern at our Southwest Border?

Answer. Response was not received at the time of publication.

Question 2. Secretary McAleenan, border security interagency task forces are a crucial part of ensuring that the homeland is secure.

Can you explain to the committee the importance of the Integrated Border Enforcement Teams, the Border Tunnel Task Forces, and the Best Enforcement Security Teams in working with State, local, Tribal, foreign, and other agency partners to secure the homeland? Please provide any related enforcement statistics available.

Answer. Response was not received at the time of publication.

